

103

DEVELOPMENTS IN CAMBODIA

Y 4. F 76/1: C 14/9

Developments in Cambodia, 103-1 Hea...

HEARING

BEFORE THE

SUBCOMMITTEE ON

ASIA AND PACIFIC AFFAIRS

OF THE

COMMITTEE ON FOREIGN AFFAIRS

HOUSE OF REPRESENTATIVES

ONE HUNDRED THIRD CONGRESS

FIRST SESSION

OCTOBER 27, 1993

Printed for the use of the Committee on Foreign Affairs



U.S. GOVERNMENT PRINTING OFFICE

76-993 CC

WASHINGTON : 1994

For sale by the U. S. Government Printing Office

Superintendent of Documents, Congressional Sales Office, Washington, DC 20402

ISBN 0-16-044104-8

103

DEVELOPMENTS IN CAMBODIA

Y 4.F 76/1:C 14/9

Developments in Cambodia, 103-1 Hea...

HEARING
BEFORE THE
SUBCOMMITTEE ON
ASIA AND PACIFIC AFFAIRS
OF THE
COMMITTEE ON FOREIGN AFFAIRS
HOUSE OF REPRESENTATIVES
ONE HUNDRED THIRD CONGRESS
FIRST SESSION

OCTOBER 27, 1993

Printed for the use of the Committee on Foreign Affairs



U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1994

76-993 CC

For sale by the U.S. Government Printing Office
Superintendent of Documents, Congressional Sales Office, Washington, DC 20402

ISBN 0-16-044104-8

COMMITTEE ON FOREIGN AFFAIRS

LEE H. HAMILTON, *Indiana, Chairman*

SAM GEJDENSON, Connecticut
TOM LANTOS, California
ROBERT G. TORRICELLI, New Jersey
HOWARD L. BERMAN, California
GARY L. ACKERMAN, New York
HARRY JOHNSTON, Florida
ELIOT L. ENGEL, New York
ENI F.H. FALEOMAVEAGA, American
Samoa
JAMES L. OBERSTAR, Minnesota
CHARLES E. SCHUMER, New York
MATTHEW G. MARTINEZ, California
ROBERT A. BORSKI, Pennsylvania
DONALD M. PAYNE, New Jersey
ROBERT E. ANDREWS, New Jersey
ROBERT MENENDEZ, New Jersey
SHERROD BROWN, Ohio
CYNTHIA A. MCKINNEY, Georgia
MARIA CANTWELL, Washington
ALCEE L. HASTINGS, Florida
ERIC FINGERHUT, Ohio
PETER DEUTSCH, Florida
ALBERT RUSSELL WYNN, Maryland
DON EDWARDS, California
FRANK McCLOSKEY, Indiana
THOMAS C. SAWYER, Ohio
(Vacancy)

BENJAMIN A. GILMAN, New York
WILLIAM F. GOODLING, Pennsylvania
JAMES A. LEACH, Iowa
TOBY ROTH, Wisconsin
OLYMPIA J. SNOWE, Maine
HENRY J. HYDE, Illinois
DOUG BEREUTER, Nebraska
CHRISTOPHER H. SMITH, New Jersey
DAN BURTON, Indiana
JAN MEYERS, Kansas
ELTON GALLEGLEY, California
ILEANA ROS-LEHTINEN, Florida
CASS BALLENGER, North Carolina
DANA ROHRBACHER, California
DAVID A. LEVY, New York
DONALD A. MANZULLO, Illinois
LINCOLN DIAZ-BALART, Florida
EDWARD R. ROYCE, California

MICHAEL H. VAN DUSEN, *Chief of Staff*
ROBERT M. HATHAWAY, *Professional Staff Member*
MICKEY HARMON, *Staff Associate*

SUBCOMMITTEE ON ASIA AND THE PACIFIC

GARY L. ACKERMAN, *New York, Chairman*

ENI F.H. FALEOMAVEAGA, American
Samoa
MATTHEW G. MARTINEZ, California
ROBERT G. TORRICELLI, New Jersey
SHERROD BROWN, Ohio
ERIC FINGERHUT, Ohio

JAMES A. LEACH, Iowa
DANA ROHRBACHER, California
EDWARD R. ROYCE, California
TOBY ROTH, Wisconsin

RUSSELL J. WILSON, *Staff Director*
JAMES McCORMICK, *Republican Professional Staff Member*
DAVID S. ADAMS, *Professional Staff Member*
LISA C. BERKSON, *Professional Staff Member*

CONTENTS

Page

WITNESSES

Kenneth M. Quinn, Deputy Assistant Secretary, Bureau of East Asian and Pacific Affairs, Department of State	3
Margaret Carpenter, Assistant Administrator, Bureau for Asia and the Near East, U.S. Agency for International Development	8
Frederick Z. Brown, Director, Southeast Asian Studies, School of Advanced International Studies, John Hopkins University	25
Dinah PoKempner, Consultant, Asia Watch	27
Joel Charny, Overseas Director Oxfam America	32

APPENDIX

Prepared statements:	
Kenneth M. Quinn	43
Margaret Carpenter	55
Frederick Z. Brown	63
Dinah PoKempner	72
Joel R. Charny	82
Anne E. Goldfeld, M.D. and Holly E. Myers	94

DEVELOPMENTS IN CAMBODIA

WEDNESDAY, OCTOBER 27, 1993

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
SUBCOMMITTEE ON ASIA AND THE PACIFIC,
Washington, DC.

The subcommittee met, pursuant to call, at 2:48 p.m. in room 2200, Rayburn House Office Building, Hon. Gary L. Ackerman (chairman of the subcommittee) presiding.

Mr. ACKERMAN. The subcommittee will come to order. I wonder how many of us in this room recall the days, not long ago, although they seem so today, when we used to observe that peace was breaking out all over.

Longstanding conflicts in Angola, Afghanistan, Nicaragua, and even the cold war itself were winding down and drawing to a close. Those indeed were heady days.

A short time later, today, the opposite observation is perhaps more apt, conflict seems to be breaking out all over—in the former Yugoslavia and Somalia, in Haiti, in the states of the former Soviet Union, and elsewhere.

Only by great fortune was the world recently spared the prospect of major civil conflict in Russia itself. The continuation of the situation on the Korean Peninsula, focused now on the North Korean regime's efforts to develop nuclear weapons, is still tense and unstable.

In short, while there is some encouraging news, for example from South Africa, where the situation is much emended, these are times when man's evolutionary instincts seem generally to be in abeyance.

The conflict in Cambodia and the search for a solution to it have bridged both eras. Appropriate to its status in this regard, Cambodia has much to offer the pessimist and the optimist alike.

For the optimist, free and fair elections were held in May of this year and voter turnout was an astonishing 90 percent. But for the pessimist, one dangerous and powerful faction of Cambodians, the Khmer Rouge, chose not to participate in these elections and sought unsuccessfully to intimidate other Cambodians from participating.

For the optimist, there seems to have been more success than anticipated in merging the armed forces of the former government, the ANS and the KPNLF into a depoliticized military serving under the authority of the new government.

But for the pessimist, there may be questions about how much the military has been depoliticized, how cohesive a force it can be

over time, and whether it can put a stop to the low intensity guerilla conflict being waged against it by the Khmer Rouge.

Optimists point to the ability of two former enemies, Ranariddh and Hun Sen, to work together in apparent sincerity and sometimes even humor. Pessimists say this kind of relationship is unsustainable. Pessimists say that in leaving, UNTAC has taken the glue that has held Cambodia together.

Optimists argue that, while UNTAC played an important role, it was the Cambodians themselves who made the key choices, in voting, in cooperating to form a government, and in refusing to let certain individuals wreak anarchy on the country in the immediate wake of the elections.

We have here today a number of distinguished experts from the administration, academia, and the private sector who can help us weigh the arguments of both the optimists and the pessimists.

Our purpose, however, goes deeper than that. The purpose of this hearing is to learn where events in Cambodia are leading that nation, and what the United States can do, multilaterally and by itself, to help ensure the establishment of diplomatic institutions able to absorb the political conflict that must naturally occur in the process of nation building.

We wish the people of Cambodia every success in this vital undertaking.

Before I introduce our witnesses, I want to note for the record our very high regard for the work of the U.S. Embassy in Cambodia and its Chief of Mission, Charles Twining. The performance of Mr. Twining and his staff, in my view, has been outstanding, all the more so for the difficult circumstances under which it has been accomplished.

This kind of professionalism is what we have come to expect from the officers of our Foreign Service, of which one of our witnesses today, Mr. Quinn, is also an outstanding representative.

We are pleased to have with us this afternoon the distinguished Deputy Assistant Secretary of State for the Far East and the Pacific, Kenneth Quinn. We look afterward equally to the testimony of the distinguished Assistant Administrator for Asia and the Near East, Agency for International Development, Ms. Margaret Carpenter.

We are also pleased to welcome Frederick Brown of Johns Hopkins School of Advanced International Studies, Joel Charny of Oxfam America, and Dinah Pokempner of Asia Watch.

We have received with pleasure the written testimony submitted to this subcommittee by Dr. Ann Goldfeld, a board member of the Women's Commission for Refugee Women and Children, and we will enter Dr. Goldfeld's statement in the record of these proceedings as well.

[The information appears in the appendix.]

Mr. ACKERMAN. I want to thank everybody who has taken the time to be with us here today as well. Without objection, we will enter into the record at this point the opening statement of Congressman Jim Leach, the Ranking Republican Member of the subcommittee. Eni, do you have a statement you want to make?

[The information follows:]

STATEMENT OF HON. JAMES A. LEACH

Thank you, Mr. Chairman. Perspective is always difficult to apply to the events of the day, but it would appear that the massive U.N. peacekeeping effort in Cambodia has been on the signal achievements of the post-cold war age.

All members extend congratulations to those who helped plan and participated in the United Nations Transitional Authority in Cambodia (UNTAC). The world community has achieved a remarkable success in this sometimes exhilarating, but certainly daunting, and at times very harrowing enterprise. Enormous credit is due to so many, perhaps most particularly to UNTAC's civilian electoral staff, for the coming to fruition of the most free and fair elections in Cambodian history.

Likewise, the courage and determination of the Cambodian people themselves to outface political terror and have a strong voice in determining their own destiny was impressive and frankly inspiring. We all hope that the experience of that electoral process will help lay the foundation for a functioning civil society in which Cambodians enjoy an effective voice in their own governance, with respect for human rights and the rule of law.

Here it should be noted that the leadership of the United States under two administrations, and of this subcommittee under two chairmen, has also played a modest role in facilitating this U.N. and Cambodian success story. I hope and expect we can continue our bi-institutional and bipartisan cooperation in the international effort to assist Cambodia's peaceful reconstruction and development.

At present, cautious optimism is warranted about the prospect for achieving peace and reconciliation in this tragically war-torn land. We have a new and legitimate government recognized by the international community. The royalist and former Communist factions seem to be working surprisingly well together. Despite the absence of a history of power sharing in Cambodia, both FUNCINPEC and the CPP appear to understand the imperative need to cooperate if Cambodia's new government is to maintain the international support needed for new aid and investment.

On the other hand, while the insurgent Khmer Rouge are both militarily weaker and politically more isolated than at any time since the Vietnamese invasion of 1979, they are not yet a spent force. They may seek to capitalize on socioeconomic ills, or the potentially debilitating issue of corruption. The durability of Cambodia's current government remains untested. And the health of King Sihanouk is an obvious concern.

Therefore we all remain deeply interested in developments in Cambodia, and look forward to the testimony today.

Mr. FALEOMAVAEGA. No, Mr. Chairman. I look forward to hearing from our witnesses.

Mr. ACKERMAN. We will proceed in that case directly to our witnesses and we look forward to your testimony.

Mr. Quinn.

STATEMENTS OF KENNETH M. QUINN, DEPUTY ASSISTANT SECRETARY, BUREAU FOR EAST ASIAN AND PACIFIC AFFAIRS, DEPARTMENT OF STATE

Mr. QUINN. Thank you, Mr. Chairman. First, let me say how much we appreciate your very kind words about Charlie Twining and his staff in Phnom Pehn.

Charlie is one of the most respected officers in our service and he is a very close friend of mine and we have worked together on this a long time. I will certainly pass that on to him and am very grateful for your taking the time to remark about it.

I would like to, as somebody who has been following Cambodia for more than 20 years, begin my testimony by just recalling two events that are very sharply etched in my mind. What I would like to do if it is all right with you, Mr. Chairman, is summarize my testimony. If it all could be included in the record, I would appreciate it.

Mr. ACKERMAN. Without objection, your complete prepared testimony will be included in the record. You may proceed as you wish.

Mr. QUINN. Thank you. I was serving in Vietnam in June 1973, right along the Cambodian border. On a very nice warm day—they were all warm, some were warmer than others, but a very nice day—climbed to the top of a mountain outside the city of Chou Duc and from the top of the mountain you could look off and see for 10 or 12 miles into Cambodia. And on that day, you could look out and see 15, 20, 25 little cluster hamlets, just the way Cambodian hamlets each may be, 30, 40 thatched houses in it, and it was stunning to see that on this day, all of them were on fire, and the smoke was pouring up out of the beautiful green countryside as every Cambodian village that you could see from the top of that mountain had been set on fire by the Khmer Rouge. The purpose was to drive people from their existence, from their home, burn everything and destroy everything that they had, give them nothing to go back to, and to drive them out into the countryside, and set up new communes with a new way of life, and as we later found, a new way of death as people were worked until they dropped in the fields and suffered other forms of brutal execution. We all know, I think everybody in this room knows all too well, the record of the Khmer Rouge after that.

If I could jump ahead to 1993 and less than a month ago, I went up to another height, this time on an elevator, up to the 37th floor in the Waldorf-Astoria. The Secretary of State received a new Prime Minister, Prince Ranariddh, and the Second Prime Minister, Mr. Hun Sen. As the press was brought in for the traditional photo op, Secretary Christopher returned the brass plaque that used to sit in the front of Cambodian Embassy here on 16th Street, the symbolic way of saying that this long period in which we have had no diplomatic relations and, hopefully, this long nightmare of Cambodia is, in a way, over.

There were many TV cameras; there were a lot of journalists in the room. When this was finished, suddenly everybody in the room broke out into applause, including all the fine members of the press, I thought it was a testimony, with usually detached members of the media joining in with the feeling everybody had, and I wish you all could have been there to see this great sense of joy and good feeling that, in fact, Cambodia somehow had been saved and—with all of the caveats to such a statement about all the problems that could obtain in the future—there was a moment there in which all the anguish, all of the sacrifice, all of the suffering of the past was somehow expiated.

I start that way, Mr. Chairman, because I think, as you pointed out in your opening statement, so much of the focus now is on things that are not going right, things are very difficult or going wrong or not as we had once hoped, and yet Cambodia was, and I think rightfully could be considered a very significant success. It needs to be kept in mind that when we set out in Cambodia, very few people gave us much prospect for being successful because, after all, it was the biggest, most complex, most expensive operation the U.N. would ever undertake in peacekeeping. It turned out also to have been, at least in my opinion, its most effective.

There are a number of reasons that you can point to as to how this came about, a lot of factors. The UNTAC chief, Mr. Yasushi Akashi, and the UNTAC Military Commander, John Sanderson of

Australia, were highly effective leaders. UNTAC vigorously used its authority to make its own decisions.

There was a lot of support in the U.N. and other U.N. organizations, in the Security Council, from the Perm 5, (France, the UK, Russia, China, the United States), and Japan, Australia, Indonesia, all providing essential support.

There were important contributions from neighbors, from Vietnam, from Thailand as external military assistance to the Cambodia factions was cutoff. ASEAN countries stepped in at a key juncture right before the elections to provide much needed military equipment to be shipped into the country and to UNTAC at perhaps the most critical moment in the whole process.

And of course I take a great deal of pride in America's strong backing for UNTAC. That should be no surprise. This has been an approach that has been developed in a bipartisan basis here in this committee in the past under two administrations and really for over a decade, when you look back. I know this is something that Margaret Carpenter has been very much involved in, in the refugee effort to keep Cambodians alive, and that the American people, the American Government, have provided close to \$900 million in terms of peacekeeping, refugee assistance, assistance through AID, to keep that country going, to keep its people going so that there could be a moment like this.

I think, Mr. Chairman, Americans have a right to ask, what tangible results have come from this huge contribution? And I think the best way to answer it really is to take a look back in 1990 before this process started, and remember that civil war raged throughout the country, essentially between two Communist movements, and there were almost no democratic values apparent anywhere, except in those limited areas where the noncommunist resistance operated.

People were arrested regularly for expressing politically divergent views. The administrative mechanisms to bring human services were collapsing. Neither King Sihanouk or any other non-Communist leader had set foot in Phnom Pehn for over a decade, and U.S. officials from the executive branch were unable to enter the country, much less carry out activities to account for our POW/MIAs.

But today the situation is quite different. Free and fair elections were held leading to the establishment of democratic government and a constitutional monarchy. About 370,000 refugees have returned to build new homes. Thousands of political prisoners have been freed.

There has been a sharp drop in infant mortality. Hundreds of kilometers of desperately needed roads have been demined and reopened. Fledgling independent media, including opposition radio and television stations, as well as publications, are operating. There is a new respect for human rights and fundamental freedoms. Of course the United States now has an embassy in Phnom Pehn, and we are receiving excellent cooperation in the POW/MIA issue.

And I think, Mr. Chairman, that we, and I mean together, all of us, can report to our people that our aid helped Cambodia survive

and gave it a chance to be recreated in the image of a society that existed prior to the Khmer Rouge depredations.

While it is important and appropriate to recognize the role the United States and other countries played, the real credit must go to the Cambodian people for the change that has come about. If there ever was a people who could have been justified in being intimidated politically, it was the people of this war-torn country.

And on those memorable days in May when the election was held, they demonstrated their courage and desire for democracy by defying the Khmer Rouge and going to the polls in unprecedented numbers. As you said, more than 90 percent of those who were registered went to vote, and I know some of the people who were out there making those polling stations work are here in this room today, and they deserve a great deal of recognition and credit for the risks that they took to go and do that.

Since those elections, in our view, the trend of events in Cambodia has been largely positive. Prince Sihanouk was elevated to king, the royal government was formed, the constitution has been adopted by a vote, an assembly formed. The constitution stipulates that government ministers and state secretaries must be members of the parliament, and this effectively excludes the Khmer Rouge, who boycotted the elections, from any of these positions.

While the Khmer Rouge threat remains real, Khmer Rouge troops have been defecting in significant numbers in recent weeks.

But let me be absolutely clear. Despite these impressive achievements, future success is not assured. Cambodia is one of the world's poorest countries. Per capita income is less than \$200. Its infrastructure is devastated.

The Khmer Rouge leadership remains intact, and traditional political problems could come to the fore and weaken the new government. As Cambodia grapples with these problems, key questions in the short term include the degree of cohesiveness in the new government and the prospects for quick economic growth. In the longer term, the strength or weakness of the Khmer Rouge will be a critical factor, as will the degree of effectiveness of efforts to build lasting and truly democratic institutions.

Now, it will be up to the Cambodians to deal with these problems, but the international community in the United States can and should continue to help, and we can do it in a number of ways.

One, the U.N. needs to maintain an effective presence there. We are working actively now in New York and Phnom Penh to structure that and get it there as quickly and effectively as we can. Secondly, NGO's, which were so essential to the delivery of humanitarian support for a number of years need to keep up their highly effective efforts to assist the Cambodian people in innumerable areas.

Third, we need to energize the business community to the opportunities that exist in Cambodia. Yes, they are limited, but if Cambodia is going to be healthy, it needs to be done from an increase in investment and trade.

Fourth, international financial and economic assistance will be critical to the country's reconstruction and development. I know at the conference in 1992 in Tokyo on the international reconstruction

and rehabilitation of Cambodia over \$880 million was pledged to assist the country.

I was in Paris just a little more than a month ago, Mr. Chairman, and the rewarding report there was that over \$800 million of that has already been committed and much of it has been spent. Our share of that was \$135 million, and we have met that commitment and we are in the process of spending that money.

But to protect our investment in Cambodia it is vital that appropriate aid levels be maintained in fiscal year 1994 and beyond. We need to remain engaged in international efforts to help Cambodia address these problems. Our budget request addressed the beginning of the effort to reconstruct Cambodia.

Fifth, we are making an investment in demining, because during the war in Cambodia, from 1970 to the present, the number of land mines laid in that country may have reached 7 million. Mines have resulted in almost 40,000 amputees and almost as many deaths. And it is estimated that some 2 to 4 million mines remain uncleared. They pose great danger to farming communities, they cause environmental destruction, and hinder economic growth.

And again, I note there are those who are here today who are particularly concerned and working on that and again to their very great credit.

Finally, given Cambodia's tragic recent history, we will be especially vigilant in monitoring the country's human rights situation. We will work closely with the country's government, other countries and NGO's, to ensure that the human rights of the citizens of Cambodia will be respected. We are ready to support any requests that the new Royal Cambodian Government makes for assistance in trying those responsible for grave crimes against their own people and against humanity.

The U.S. assistance program in Cambodia will include funding for human rights and democratization projects.

The recent record in Cambodia on human rights is impressive, but to be sure, some problems remain. Political violence and intimidation marred the election campaign. Khmer Rouge insurgency continues and the problem ensuring fair treatment for ethnic Vietnamese in Cambodia remains unresolved.

However, many of the improvements in the human rights environment achieved in 1993 will be difficult to reverse and should help ensure that which we all have worked so hard for, that Cambodia is never again returned to the desperate repression of its recent past.

So, Mr. Chairman, to return to your opening statement, I think to the degree that we can be optimists or pessimists about Cambodia in the future will be in large part due to the measure in which the international community and the United States of America remain engaged in trying to help nurture that which we have spent so much in creating.

Thank you very much, Mr. Chairman.

Mr. ACKERMAN. Thank you very much, Secretary Quinn.

[The prepared statement of Kenneth Quinn appears in the appendix.]

STATEMENT OF MARGARET CARPENTER, ASSISTANT ADMINISTRATOR, BUREAU FOR ASIA AND THE NEAR EAST, U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT

Mr. ACKERMAN. Ms. Carpenter.

Ms. CARPENTER. Mr. Chairman, Congressman Faleomavaega, it is a pleasure to be here today to discuss with you the role of the U.S. Agency for International Development in the international effort to support Cambodia's reconstruction.

This is my first appearance before your subcommittee and I look forward to working with you on a full range of issues having to do with U.S. development assistance in Asia and the Pacific.

And with your permission, Mr. Chairman, I would like to submit my full remarks for the record, and summarize them for the purposes of—

Mr. ACKERMAN. Without objection, your full text is submitted for the record and you may proceed as you would like.

Ms. CARPENTER. Thank you. Inspired by Ken Quinn's recollections, I wanted to mention a couple of experiences that have marked my thoughts about Cambodia.

In 1979, I was working in the Office of the U.S. Coordinator for Refugee Affairs in the State Department and I went to Thailand at a time when there were perhaps 50,000 Cambodians just beginning to come across the border, and I visited the first refugee camp that was set up on the border for Cambodians.

It had been there for about 5 days. It was the rainy season. There were thousands of people lying in the mud under pieces of blue plastic that had been distributed by the U.N. And I had never been in a situation like that before where there were people dying around me. It was a shocking experience.

When I went back to Thailand in 1982, in a very different capacity, I was interviewing Cambodian refugees who had survived that experience, who had been in camps for several years, and I was really struck by the resilience of these survivors. These are really remarkable people, and later in 1992, I had the honor to go into Cambodia to Phnom Pehn and have an audience with then Prince Sihanouk to discuss the development needs of Cambodia, and I was really struck by the incredible progress that had been made by a people who had been devastated in many ways over a long period, and I share the sense of optimism that a lot of people had at that time.

Since then, there have been reasons to be a little more measured in our thinking about Cambodia, but I think I personally share Ken Quinn's assessment of the situation, and I am very pleased that the United States has had an opportunity to contribute to what is a truly successful international effort to reconstruct a country that has been through a terrible, terrible history in recent years.

And I believe that the credit really is due to the determination and the hard work of Cambodians who, with outside help, have managed to turn despair into hope. Cambodia has emerged from years of foreign occupation and civil war to join the ranks of the world's democracies.

Two years ago, over 300,000 Cambodian refugees were still in the border camps in Thailand. Today, they have returned to Cam-

bodia, many of them to their native villages. They are rebuilding their homes and cultivating their fields. After decades of mistrust and battle, Cambodians are attempting to join hands in one army and one government.

The response of the international community has been steady, generous, and well coordinated. One of the formal instruments of the Paris Peace Accords of October 1991 was the declaration on the rehabilitation and reconstruction of Cambodia.

As Ken Quinn mentioned, the June 1992 Ministerial Conference on the Rehabilitation and Reconstruction of Cambodia, which was held in Tokyo, produced donor pledges of about \$880 million. This was quite a remarkable feat, and this ministerial conference also established the mechanism for coordinating international contributions—the International Committee on the Reconstruction of Cambodia, which is known as ICORC. At the meeting of the ICORC in Paris last month, it was announced that 96 percent of the pledged \$880 million had been formally committed and the United States is the second largest donor to this effort.

Overall, during the most recent period when UNTAC was responsible for the reconstruction of Cambodia, the international donor community contributed approximately \$1.7 billion and the U.S. contribution was about \$517 million.

I think our role played a very important part in this process, but, again, I think the real credit goes to the Cambodian people.

Let me turn now to the U.S. Aid program in Cambodia. Our current program has developed in three stages. The first stage began in 1986. At the time the U.S. Government was supporting the two noncommunist resistance movements in Cambodia. The U.S. AID provided these groups with food, medical equipment, supplies, vaccines, potable water, transportation and training in the areas of community development and health care.

This program had a significant impact improving the health status of the recipients, lowering infant and child mortality rates in the area, and improving the nutritional status of women and children. It also was important in keeping alive the two groups that eventually were participants in the Paris Peace Accords.

Stage two began with the signing of the Paris agreement in October of 1991. At that point, U.S. AID established a regular bilateral program for Cambodians. The focus of our assistance during this second stage was the establishment of mechanisms to meet the pressing humanitarian needs of the people in the absence of effective government services, to move forward the peace process, and to facilitate the transition to a democratic government.

The level of funding for the U.S. Aid program during this second phase, this UNTAC-administered phase, was \$23 million in fiscal year 1992, and \$59 million in fiscal year 1993.

In the area of humanitarian assistance, U.S. AID funded numerous projects administered by American private voluntary organizations and international organizations. Some of these projects included providing prosthetics to war victims and those injured by land mines; improving maternal and child health through immunization, health education, and potable water; skills training and income generation projects; and providing assistance for the creation and strengthening of indigenous PVO's.

Our partners in these efforts really were extremely important in the success of this phase. Overall, our PVO program has provided basic humanitarian services throughout virtually all of the provinces of Cambodia except the areas where the Khmer Rouge has been active.

Originally these activities were primarily focused on Phnom Pehn, but as the security situation improved, we were able to extend these activities to more of the country.

To support the peace process and the promotion of democracy, U.S. AID provided grants to the National Democratic Institute, the International Republican Institute, the Asia Foundation, and the U.N. Human Rights Center for training political parties before the 1993 elections in May, and also provided observers during the election.

This election marks a dramatic turning point for Cambodia. Over 90 percent of the 4 million registered voters turned out to signal their desire for a multiparty democracy, an astounding 20 parties participated in the election, and the constituent assembly that they elected was made up of three parties.

This assembly has now promulgated Cambodia's constitution and a new government has been formed. The government was formally recognized by President Clinton on September 23. In addition to support for this democratic transition, U.S. AID has provided assistance for emergency demining and repair of vital rural roads.

The restoration of these roads facilitated the resettlement of approximately 370 refugees and contributed to the process of national reunification and economic reactivation. Overall, U.S. AID supported the refurbishing of about 500 kilometers of rural roads.

The promulgation of the new Cambodian constitution and the installation of the new government last month marked the beginning of stage three of our current U.S. AID assistance program in Cambodia. We plan to build on the activities of the first two stages and continue to support the nation building efforts of the Cambodian people.

While our major decisions regarding new areas of assistance will necessarily await the Cambodian Government's setting of its own development priorities, I would nonetheless like to talk about some of the directions that we think our program will take.

First, we will continue supporting the development of a modern democratic system in Cambodia with a focus on economic policy. Clearly economic development is very closely linked to the viability of democratic institutions in Cambodia.

In this context, we are providing technical assistance to several ministries, to the legislature, and to the law faculty at the National University.

Since the government is virtually starting from scratch, our assistance in this area is absolutely essential. We have already provided the new government with technical assistance in macroeconomic planning and this has yielded a blueprint for government and donor cooperation. This document will be very helpful in working with other donors to make sure that our assistance is well coordinated and appropriate for the needs of the emerging government.

Another area that we will focus on is the development of a legal and regulatory basis for private investment and economic growth. We will also continue to support the enhancement of human rights in Cambodia, and we have contributed \$500,000 to the U.N. Human Rights Center. In addition, we have funded other indigenous human rights organizations.

In the area of humanitarian assistance, we will continue our support for the provision of basic human services to vulnerable populations that are not reached by the government. We will be consolidating a number of our PVO activities in one project that will make it much easier for us to manage. These programs include our support for prosthetics, nonformal health education, vocational education and income generation, social services, and maternal and child health and child spacing.

We will also support local Cambodian initiatives and will continue our grants to support the development of indigenous PVO's. There were absolutely no indigenous PVO's in Cambodia 2 years ago, but with outside support, a number of organizations have grown up that are now meeting the needs of a lot of very vulnerable segments of the population.

And in one of the most interesting programs we have, there are 25 Cambodian-Americans who have returned to Cambodia to work as volunteers in various programs providing needed assistance and language skills. This is through the Cambodian American Development Organization, which is called CANDO.

In the area of infrastructure development, we will continue our support for road rehabilitation and we will also continue demining around essential roads. Most of our assistance will focus on Route 4, which is the major highway connecting Phnom Pehn and the country's sole deep-water port of Sihanoukville. The refurbishing of this road is essential for the economic development of the country. This road, which was originally built by the United States in the 1950's, has fallen into disrepair as a result of bad weather, heavy usage, and war. We will also continue ways to improve the rural road system because this is so important to the development of areas outside of Phnom Pehn.

In conclusion, U.S. AID's program over the past several years has provided critical support to the Cambodian people and their efforts to develop a democratic nation. We, of course, like all parts of the U.S. Government, will have to work within limited resources, but we will look for ways that we can make our development assistance go as far as it can, and we will work very closely with other donors and the emerging Cambodian Government to try to identify the areas where we have a comparative advantage and can really make a difference in this country where people are so determined to turn their lives around and bring their country into a new era.

Thank you, Mr. Chairman.

Mr. ACKERMAN. Thank you very much.

[The prepared statement of Margaret Carpenter appears in the appendix.]

Mr. ACKERMAN. Let me start first with a couple of questions for Secretary Quinn. Feel free to jump right in on these. We will do that both ways.

The administration is on record as opposing any return to power by the Khmer Rouge. The new government, however, appears quite willing to engage in round table discussions with the Khmer Rouge on whether and how they might be brought into the national armed forces, and some kind of advisory role for them within the Cambodian Government itself.

What is your view? What is the government's view of these potential round table discussions and the assessment of their potential?

Mr. QUINN. It is my understanding, Mr. Chairman, that first of all, the health of Sihanouk will not permit him to return to Cambodia as planned at the end of October, beginning of November, and so any possibility of such discussions—

Mr. ACKERMAN. He is in Beijing, is he?

Mr. QUINN. Yes, but any possibility of any such round table discussion or anything like that would be put off, and I am not sure what the prospects would be for having it at a later time.

There are several processes that are going on now. One, it is clear from what was said by Prime Minister Ranariddh and Second Prime Minister Hun Sen to Secretary Christopher that any communication or dealings between the Khmer Rouge organization and the new government will be on the basis of citizens of a country dealing with the legitimate government, and as I pointed out in my testimony, it is not possible under the constitution for the Khmer Rouge to share power in the sense of occupying ministries, or even the number two position in a ministry.

So it is also clear that the new government wants peace in Cambodia and not a return to war, and so I think it is fair to say that they are going to explore how that can be possible so that there will not be further killing of people and injuring of—and killing of civilians.

So it is within that context of, there is only one legitimate government, that I think any dealings would take place.

Secondly, that it is constitutionally not possible for the Khmer Rouge to participate in the government, and that, third, in a desire for peace, they will explore what can be done to end any potential for further conflict.

One final point is that the Khmer Rouge defectors now who are coming in, a number of them anyway are in camp, and Phnom Pehn is also adding to that process, but there is not any plan that I am aware of to integrate Khmer Rouge units as such into the new military force.

Mr. ACKERMAN. Let me try to sharpen the question a little bit. We are in favor of the constitution and we are against killing, but the Cambodian constitution says that those outside the government cannot participate in the ministerial or vice ministerial levels. But that does not preclude some kind of an accommodation in some other role, advisory or otherwise, however, that might be constructed, to make the government inclusive in coming to terms with a political solution rather than a nonpolitical solution with whatever one's imagination would allow that to be.

Would we have objection to the Government of Cambodia coming to that kind of solution?

Mr. QUINN. We certainly don't have an objection to the new government trying to find a peaceful way to diffuse the situation.

We have been very clear in what we have said publicly, and what we say privately is exactly the same thing, that we would have great difficulty accepting any inclusion of the Khmer Rouge in a government if there were not steps being taken in which the Khmer Rouge were, in essence, complying with the provisions of the agreement.

Mr. ACKERMAN. Any comment on that?

Ms. CARPENTER. I just think it is important to note that our development assistance program is aimed at strengthening the stability of Cambodia and the new government, and I think the more that can be done to strengthen this government, the less attraction the Khmer Rouge will have.

Part of our program has been, as I mentioned, to try to improve the rural road system which has a dramatic impact on the lives of people in the rural areas which is where the Khmer Rouge has had the greatest influence in the past.

So I think this may have a long-term and cumulative effect on the willingness of the people to state their preference, which they showed very clearly in the elections.

Mr. ACKERMAN. The preference of the people indeed has been clearly demonstrated. The proclivity of the Khmer Rouge seems to be well-known, as well as their preferences, and I guess the question before us really continues to be how does the Khmer Rouge come to be dealt with.

First, are you of the opinion that the Khmer Rouge can be defeated militarily?

Mr. QUINN. I think that the biggest and what was considered the most effective guerilla army in—perhaps in the world at the time—from Vietnam sent 180,000 men and tried to defeat the Khmer Rouge militarily, and they didn't succeed.

I don't think that militarily you can eliminate the Khmer Rouge. You can hold them at bay, but you can't defeat them. You defeat—and this is my personal view, you defeat the Khmer Rouge by opening up their zone and by—through the roads that Assistant Administrator Carpenter talked about, about the flow of information.

These are like laser beams going at the heart of the way the Khmer Rouge tried to control people, and it was this flow of information from UNTAC and the opening up of roads and allowing people to move about the country that spread information which I believe had weakened the Khmer Rouge, and now you find defectors coming in who say, I have heard about the call from Sihanouk, they have heard about the offer of amnesty from the new government, and they are taking it and following it.

And that has done more to weaken the Khmer Rouge in the last 2 months than any military activity in the last 5 years, in my view.

Mr. ACKERMAN. From what you are saying, it appears—well, let me not put words in your mouth. Would you consider the Khmer Rouge at this point a threat to the national security of Cambodia, or would you consider them a pesky annoyance, or would you consider them somewhere in between? Pick any of 27 gradations; where would you put them?

Mr. QUINN. I think the Khmer Rouge can be a long-term threat to the survival of democracy of this government in Cambodia. I don't believe in the short term they have the military capacity to take the capital and to seize power, but in the long term, with the wrong set of circumstances in Cambodia, it is possible they could come back, and so more needs to be done.

They are not obliterated and gone by any means.

Mr. ACKERMAN. Mr. Faleomavaega.

Mr. FALEOMAVAEGA. Thank you, Mr. Chairman.

I would like to welcome Secretary Quinn again before our subcommittee. I do have a couple of questions. What is the—just for the record, what is the total population of Cambodia again?

Mr. QUINN. I don't think anybody knows exactly, but I think we are probably at around 9 million people right now.

Mr. FALEOMAVAEGA. And out of that, what is the population of the Khmer Rouge?

Mr. QUINN. You can get some varying estimates, anywhere from about 9,000 or 10,000 to 14,000 fighters, if that is what we are talking about, armed combatants.

Mr. FALEOMAVAEGA. How many Cambodian refugees do we have here in the United States?

Mr. QUINN. I believe we are talking about a couple hundred thousand.

Mr. FALEOMAVAEGA. I know there is 100,000 Vietnamese.

Mr. QUINN. I think we are probably approaching 1 million.

Ms. CARPENTER. I think the number of total Vietnamese and Cambodians is about 1 million, and I think the Cambodian numbers are about 200,000, but this is not my responsibility currently, and I am afraid I am a little out of date on refugee statistics.

Mr. FALEOMAVAEGA. Would you say that our country has done quite well in accepting a lot of these people from Southeast Asia?

Mr. QUINN. Absolutely.

Mr. FALEOMAVAEGA. I have a question. Is this administration taking any initiative to, by international declaration of some sort, to consider Pol Pot as an international criminal of some sort, with the genocide, with the atrocities this guy has committed?

Are we doing this in some international forum to bring this guy to court in some way? If we are doing it against Saddam Hussein, why aren't we doing it against Pol Pot?

Mr. QUINN. As I said in my testimony, we stand ready to be supportive of the new Cambodian Government in however it would choose to deal with these people. This is a democratically elected government.

They are the people who will suffer and who will die depending on what happens in the future of their country. I think it is right that they have the lead in how they will deal with this problem, and so I think the best thing that we can do now is to let them know that we will help them in—help them develop their country, but also help them in however they choose to deal with that problem.

Mr. FALEOMAVAEGA. So 10,000 KRs are holding 6 million people at bay, they could overnight just cause total disruption in whatever economic and political advancements that we may cause—at least provide for this country?

Mr. QUINN. I wouldn't agree that they can hold 6 million people at bay, but as we found out very painfully in the Vietnam War, that those who use a guerrilla tactic and fight from the jungle can be very difficult to get at, very difficult to eliminate, and they have the advantage of surprise and striking when they want, and like a thief in the night—

Mr. FALEOMAVAEGA. May I get this again, Mr. Quinn. What exactly is this administration's policy toward Pol Pot? Leave him as he is?

Mr. QUINN. Our policy toward Pol Pot with the government is to support—

Mr. FALEOMAVAEGA. Against genocide, against millions of Cambodians that caused them to be killed and—

Mr. QUINN. Well, you may recall from when I was here once before and Congressman Leach asked me that question, and I am on the record as saying that on the day there is the trial, that I volunteer to be the first witness to testify against Pol Pot and everyone else who has been part of that.

I wrote my doctoral dissertation on the origins of the Khmer Rouge and consider them one of the most heinous forces in the history of humankind, and anything that you can do to prevent them from never being able to do this again, I am supportive of personally. And I believe this administration would be.

Right now the question is, how do you deal with the Khmer Rouge in a way that is the will of the Cambodian people, that is for them?

Mr. FALEOMAVAEGA. I would very much like to get the position of Secretary Christopher on this issue, what exactly is the position of this administration toward Pol Pot.

I think maybe I am not citing the question properly, but I am just concerned that this guy is running around as if he has done nothing wrong, and for all these years, the civilized, industrialized countries just seem to be winking an eye and saying, hey, this guy can do it and get away with it.

We have faced Saddam Hussein, Khaddafi, and the others, we are very serious about it, but when it comes to this guy, we just seem to take a very passive role in it.

My time is short, but I just want to note that for the record. I have one more question.

Mr. QUINN. If I may say, I don't think that providing \$900 million to try to deal with Cambodia and peacekeeping and the United Nations to fend off the Khmer Rouge and return to democracy was being reticent.

Mr. FALEOMAVAEGA. I want to ask Ms. Carpenter, and please do convey my best regards to Administrator Atwood.

Ms. CARPENTER. Thank you.

Mr. FALEOMAVAEGA. Can you kind of quantify exactly what your estimate would be for AID's services in somewhat—in some form, the assistance that your agency is going to provide Cambodia?

I realize you said you provide a lot of in-kind services, but I just kind of want to get a dollar figure of what you might—

Ms. CARPENTER. You mean the total dollar figure?

Mr. FALEOMAVAEGA. Doesn't have to be exact. Just wing it.

Ms. CARPENTER. I think the easiest thing for me to do is to refer to the period of 1991 to 1993, the UNTAC-administered period. The total U.S. Government response during that period was about \$135 million, and I believe that the U.S. AID portion of that was about \$90 million. It is definitely the bulk of our response.

Mr. FALCOMA. Thank you, Mr. Chairman.

Mr. ACKERMAN. Thank you, Mr. Falcoma. Knowing of your interest at the next hearing, perhaps we will invite the INS to solicit from them their opinion as to what their posture might be should Mr. Pol Pot apply for a visitor's visa.

Mr. FALCOMA. I would personally like to meet Mr. Pol Pot, up and up with him and get it over with, you know? My spear against his—

Mr. ACKERMAN. He doesn't know what he is in for.

Mr. FALCOMA. Get a couple more Samoans and maybe we could solve the problem or something.

Mr. ACKERMAN. I would offer your coat.

Mr. Rohrabacher.

Mr. ROHRBACHER. Just to commend my colleague on his position of Pol Pot. I was even more uncomfortable during the years when we were publicly supporting Pol Pot's guerillas, even though the regime was certainly a Vietnamese public regime, our Government actually was advocating keeping Pol Pot's representatives in the United Nations, and actually we either winked or we were actually participating in the support of Pol Pot's military units, which sometimes you have to do these things, I guess.

But I was outraged by it, and I would hope that as time goes on, we don't necessarily have to state it now as a matter of government policy, but I would hope as the situation calms down in Cambodia, that Pol Pot and his gang are brought to justice. They are criminals. They are criminals against humanity, and I would hope that someday they are brought to justice and we may get a point to the world to do so, even though I know that by helping them during certain time periods, we have really damaged our own credibility in doing that.

Mr. ACKERMAN. Will the gentleman yield?

Mr. ROHRBACHER. Yes.

Mr. ACKERMAN. Just to solicit for the record, has any international tribunal at all declared Pol Pot to be guilty of violating any statute under which he might be considered an international war criminal?

Mr. FALCOMA. I don't think so, Mr. Chairman, because none of the industrialized countries have ever had perhaps the nerve to come forward and lay such claims in international court. That would be my—

Mr. ACKERMAN. Do our witnesses know of any?

Mr. QUINN. Not that I am aware of, but let me—

Ms. CARPENTER. Mr. Chairman, I think there have been some proposals to try to bring a case before the International Court of Justice, but I don't know that it has ever been officially raised.

Mr. ACKERMAN. Thank you.

Mr. Rohrabacher.

Mr. ROHRBACHER. Earlier this year when I visited Phnom Penh, we call him King Sihanouk, did mention that Pol Pot may have

cancer, and if that is the case, I guess that he is going to be judged by the ultimate judge, and I imagine he will be—end up in the ultimate punishment.

In terms of the job that our State Department has been doing, I generally am not generous with my praise of the State Department, but let me just note that I think that our Government has done an exemplary job in these last few years in dealing with probably one of the most vexing issues and vexing challenges in terms of trying to take Cambodia from the brink of disaster back into the family of nations, and I think our Ambassador, Charles Twining, has done a terrific job, and would like to go on record saying that I have met with him on many occasions and think he has done a job that deserves more than a pat on the back. It deserves some public recognition, and I am hoping my words will get back to him in that regard.

Mr. QUINN. I will be sure—thank you very much for that, Mr. Rohrbacher, and I will certainly be sure that your comments, as well as the opening remarks by the chairman in the same vein, will get back to him.

Mr. ROHRBACHER. The—you know, Cambodia is such a far distant land, but there are countries around Cambodia that are prospering, they are growing, their economies are growing, the ASEAN countries.

Is there any indication that the ASEAN countries will be engaged in more economic activity in Cambodia which will help create more stability there?

Mr. QUINN. I think that there are indications that Asia will be involved. At the ICORC pledging conference, the ASEAN countries took part. There were some pledges, which I think it is very unusual for those countries to be involved in external assistance.

They made a commitment in the peace process. They provided military equipment to UNTAC at a crucial moment. Of course, business deals and business opportunities will flow as—from an assessment of markets, but certainly ASEAN countries are very interested in Southeast Asia and Indochina.

Mr. ROHRBACHER. Have there been investments from Thailand? I know when I was there it seemed like Thai businessmen were all over the place. What about Singapore, Indonesia, all these places?

Mr. QUINN. Certainly not as much as Thailand, but you have the government expressing its interest and being involved, and I think that will lead the way, and of course people are looking out to see stability, they are looking to judge the rest of the commitment from the international community, and I think what you will find is that international development assistance will be the leading edge that will bring other types of business with me.

Now, I am probably getting out of my element and into Ms. Carpenter's, and I don't mean to do that, but I think that will occur.

Mr. ROHRBACHER. The one country that seems to have a great deal of leverage, although it doesn't seem to be unexploited, is the small country of Brunei, and I know that the Sultan of Brunei, during the years when the guerrilla wars were going on, that he was very much concerned that we didn't pay much attention to Cambodia, and I would hope that now that there is a chance for

peace, that he would be brought into that circle of friends of Cambodia.

Mr. QUINN. When Secretary Christopher was in Southeast Asia for the ASEAN meetings, and of course that includes Brunei, there was quite considerable discussion about Cambodia, and that included Brunei.

Mr. ROHRABACHER. I notice in a news report that the United Nations, UNTAC, that their radio station is now off the air. And it notes here in this article that it is a—actually quite well financed and the equipment there is really a high-tech type of station, meaning that the equipment isn't just some ramshackle operation, that this is like the BBC or something.

Is there some reason why private people can't take over the UNTAC radio?

Mr. QUINN. That is something that we had hoped very much would happen. We have pressed at the United Nations for equipment to be left behind where it is appropriate to do so, and included in that was the radio station, and I think television station and transmitters.

I have to say that I don't know exactly the status of that, whether somebody else has picked up the financing of it. If you permit me, let me just check with—there were particular aspects of the UNTAC operation. Demining is one that we focused on because the humanitarian concern, but as you correctly point out, we try to be very encouraging that somebody would pick that up. It could become privatized—

Mr. ROHRABACHER. For example, the newspaper there, the Phnom Pehn Post, I think is the name of the paper, is a privately owned paper and it seems to me that people who could manage a paper could also manage a radio station.

Have there been American helicopters operating in Cambodia in the last 6 months?

Mr. QUINN. Yes, sir.

Mr. ROHRABACHER. There have been?

Mr. QUINN. Yes, sir.

Mr. ROHRABACHER. And when did they arrive?

Mr. QUINN. Well, the helicopters come and go with our POW/MIA recovery operations. And of course weather conditions vary, and you are not able to operate year round.

Helicopters were there about a month or two before the election. I think in March, their operations, there was an incident, we pulled them back, and since then I believe there has been—there were helicopters there and there was one mission out to Kracheh Province. Let me just check.

Mr. ROHRABACHER. Is that the north?

Mr. QUINN. In Kracheh.

Mr. ROHRABACHER. Is that the northeast portion of Cambodia?

Mr. QUINN. It is up that way, yes.

Mr. ROHRABACHER. Are there American helicopters in Cambodia at this time?

Mr. QUINN. I don't believe so, but I don't know for sure.

Mr. ROHRABACHER. The MIA/POW task force will continue operating?

Mr. QUINN. Yes, sir, and in fact, Prime Minister Ranariddh was emphatic in telling and assuring Secretary Christopher that we would have the utmost cooperation from their government on this subject.

Mr. ROHRABACHER. And I take it that if I am in Phnom Pehn, that I will have cooperation from our Government on this subject too?

Mr. QUINN. Absolutely.

Mr. ROHRABACHER. Talking about cooperation, we now have supposedly a new government in power, but we have sort of an interesting relationship with the old government and sort of almost a joint government situation.

If Sihanouk dies, will his son—and you used his name, but I have a tough time pronouncing it.

Mr. QUINN. Prince Ranariddh.

Mr. ROHRABACHER. Right. Will he be able to hold the thing together in that relationship with the Hun Sen people?

Mr. QUINN. Let me say that we are all very hopeful that King Sihanouk is getting very good medical treatment and is going to get over his illness and will live for a long time, and he is a very important part of the equation in Cambodia and lends to stability there.

Is your question then who would succeed to the thrown?

Mr. ROHRABACHER. No. Who will succeed in actually running the show in the government?

Mr. QUINN. Well, I—we have a great deal of confidence in Prince Ranariddh and we think that FUNCINPEC has shown extraordinary political courage to go back there at all, to go out, and they suffered many people being killed during the campaign, and they have come to this position of power and trust at some considerable risk.

I believe that the government will remain together and the elements of the former state of Cambodia, the Cambodian Peoples Party and FUNCINPEC will continue to cooperate as long as both see it in their own interests to do so, and if you wanted to give the Khmer Rouge a great new lease on life, the single thing that could be done to do that would be to overthrow this government and to reimpose some type of military rule in that country, and I believe that if anyone did that, they will be, you know, signing their own warrants of demise.

Mr. ROHRABACHER. Sounds like the mistake we made before. Well, leave it at that. I want to thank you very much, and, again, Mr. Chairman, I would like to compliment our foreign service officers, our career foreign service officers, our people at the State Department who have done—you know, when you have a situation in the world where there are so many screw-ups because the situation is so complicated in different places, to have a professional job done like we have seen in Cambodia, I think this is something we have a lot to be proud of, and again I want to pat all those guys on the back, men and women in the foreign service who have done such a terrific job in Cambodia.

Thank you.

Mr. QUINN. Thank you, very much for those words, and I will be sure they are reflected at the department. Very kind of you to do that.

Mr. ACKERMAN. We will send you a copy of the record so you can—

Mr. QUINN. Yes, please. People may not believe me.

Mr. ACKERMAN. You have no credibility problem, Secretary. Piggybacking on Mr. Rohrbacher's question, and correct me if I am wrong, Mr. Secretary, the way I understand this new constitutional monarchy is that Ranariddh, despite the fact that he is a prince and the son of the king, the—what we would ordinarily assume as the crown prince, does not automatically ascend to the throne or become the king, and, in fact, there is a search committee of sorts, for lack of a better—my own frame of reference, I guess—to decide upon who the new king might be.

Does, indeed, Ranariddh leave the first prime minister's position to become the king, allowing Hun Sen or someone else to become the first prime minister, or does he choose, if the opportunity presents itself, to remain in his present position?

Where does one see the real power? The king is not just symbolic evidently in this constitutional monarchy. He has the ability to veto anything the legislature does, which is a rather strong power for a king to be able to have in a country that we brand as a democracy.

Where do the players wind up?

Mr. QUINN. I guess, one, if we had Mr. Twining here, he could give you a more informed answer than I can as he is a real student of this, but let me try. I don't—there is not an exact answer to give you because the thrown committee or crown committee that would meet if there were—the king were to pass away, would look to the three royal lineages, the three royal families, and from those families, there could be a number of potential new rulers who could be selected, and this involves the participation of people who hold political office at the head of the National Assembly and also the leaders of the main factions of the Buddhist Church in Cambodia. So it brings together government, royal tradition and religion, three of the pillars of traditional Cambodian society, and so there is no way of knowing who would be picked for that, but it is absolutely right that the king plays a special role in the country for all the Cambodian people, and there are elements of being the father of the country, as King Sihanouk is, and you can see the great confidence that people have from the sense that he is back, the mandate of heaven type of thing has returned to the country.

So we don't know exactly how that would happen or who would be next in line, but it is an important function.

Mr. ACKERMAN. Assuming the old adage to be true that it is good to be the king, is it better to be the prime minister if one had the choice?

Mr. QUINN. Oh, gosh.

Mr. ACKERMAN. Tough choices. Just to try to understand where the power is. We understand where the personalities are here, but you want to think about that and we will come back after the vote.

You want to think on that or—

Mr. QUINN. Well, I think the answer is that the king's role is so special and so above anybody else in the country that you can't compare that role to the function of the prime minister.

The prime minister runs the government on the day-to-day basis, but it is terribly important that both be done and both be done well, and what you have with the two is a fusion of two very different approaches and traditions which are being put together in a Cambodian way to try to make it work.

The old royal tradition that represents hundreds of years of Cambodian society, and democracy, a very new concept, and with Prince Ranariddh and Hun Sen in the prime minister position, you have democratic compromise achieved where both sides gave something, and it was tough to put together, but they made a deal, and that is how the day-to-day business of the country is going to be run, but with the king, you have this umbrella, both literally and figuratively, a symbol of his power in the royal umbrella, which puts all of this in a context that Cambodia is defined, reinforcing, and satisfying.

Mr. ACKERMAN. Thank you. We are going to take a break to vote, and I have at least a couple of questions for Ms. Carpenter when we come back.

[Recess.]

Mr. ACKERMAN. The subcommittee shall resume. It is my belief that elections do not necessarily make democracies because elections quite often are dependent upon personalities and personalities can come and go. If that is all that a country has to cling to as a democracy, then a very fragile democracy indeed it is.

Democratic institutions are absolutely key and paramount to stable residual democracies taking hold and taking root. Assuming that to be the case, an awful lot has to be done, especially in view of the possibility—strong possibility—of changing personalities on the scene in Cambodia, to make democracy stick. Given the fact that half of the population of Cambodia is under the age of 15 or so, at a very malleable age, education becomes a very, very crucial part of the long-term prognosis for both democracy and stability in Cambodia.

Could you describe for us, if you would, Ms. Carpenter, USAID's role in helping with the educational framework and processes within Cambodia?

Ms. CARPENTER. Let me talk first about our democracy program because I think you have identified the key to this situation. It is institution building in the long-term sense.

It is looking at democratic institutions in the broadest way, and we recognize the need to look at a lot beyond elections. I think the elections were extremely important, however, in demonstrating the desire of the Cambodian people for a multiparty democracy, for stability, for peace, for economic reform, and I think now that that is very clear and that the constituent assembly succeeded in producing a constitution and the government is now being formed, this is really a very good sign of the ability of the Cambodians to make what is actually a very dramatic change and to begin functioning in a way that really is not based on long tradition in Cambodia.

I think our program now will take a much longer term perspective. Democracy building is very long and sometimes very messy,

and we will work with the emerging government to identify the priorities that they see, for instance, in supporting the new National Assembly.

It is very difficult for people who have never served before, who have no recollection, no experience with a parliamentary form of government, to know exactly how to be good parliamentarians, and there may be some areas where we can provide training and technical assistance that will help strengthen the parliament, the National Assembly, as a basic democratic institution.

I think we will continue to provide support to political parties because they will, again, be extremely important going forward in this system, not just at the time of elections, but as vehicles for expressing popular choice and as a way of identifying future leaders, again, in a country where leadership has been very restricted in the last few decades.

Beyond that, our program is very broad gauged, working primarily through PVO's and organizations that have a lot of experience in Cambodia. We will contribute in small ways to, for instance, the development of indigenous PVO's, which, again, help create a civic culture.

Cambodia really doesn't have a civic culture at all and democratic institutions must be based on more than just a parliament, and there are vulnerable parts of the Cambodian population that have never been represented in any way, and we think that working through these PVO's and through political parties, we can help contribute to the weaving of a civic fabric that will help support democratic institutions.

I think to date our efforts have not been so much on education per se because of the compelling urgency of focusing on elections and the basic framework of government. I think now we will be able to step back a little bit and look at our overall needs—or at Cambodia's overall needs and our role in responding to that.

Our resources are limited and, as you may know, U.S. AID is going through a process now of defining some major objectives and trying to figure out areas where we have a comparative advantage.

We agree that education is very important, but I think there are a number of other donors who are providing assistance for basic education. Our contribution on the educational side for the moment is focused primarily at the university level.

Clearly if Cambodia is going to have professionals who help take over its institutions and play a key role in the development of its economy, then there are going to have to be trained lawyers, for instance, and 2 years ago, there were six Western-trained lawyers left in Cambodia and a total of 26 law books in the law library at the university.

Mr. ACKERMAN. Twenty-six?

Ms. CARPENTER. Twenty six.

Mr. ACKERMAN. Law books.

Ms. CARPENTER. Twenty-six law books.

Mr. ACKERMAN. Is there a need for law books?

Ms. CARPENTER. I suspect there is. I think there is a need for just about anything.

Mr. ACKERMAN. Western law books?

Ms. CARPENTER. I believe there is. There are some programs that are beginning to provide materials. I just cite this as an example of the—

Mr. ACKERMAN. I have a friend who happens to be a judge in New York, if I could just interrupt you at this moment, who has, as one of his avocations, going around to different parts of the country to law schools and gathering up law books that are unused from law libraries and individuals, and then looking for places where there might be a need for American law books. Always he runs into the problem of how to get them from here to there.

If he were interested in undertaking such a project, would AID be able to provide transportation for law books?

Ms. CARPENTER. One of the organizations that U.S. AID works with does, have a books program in Asia and it is possible that we could link him with this organization.

I would be happy to talk with you about it after the hearing. But I just cite the legal field as an example of where there are virtually no resources and virtually no trained instructors, and U.S. AID is working with the government to identify areas where targeted assistance can be most helpful in training trainers and providing basic resources for the universities, and I think this is probably the most effective way of providing our assistance, rather than looking at basic education.

Mr. ACKERMAN. Speaking of pledges, much was said before about \$880 million from the international community going from the stage of, I think you said, commitment to pledges, yet with all that money being out there floating, I seem to be under the impression that not a lot of it has been converted into tangible liquid disposable assistance to any great degree.

Is that assumption correct and if it is, where do we go from here? How do we access all of those pledges?

Ms. CARPENTER. Are you referring to international pledges or the U.S. pledge?

Mr. ACKERMAN. The \$880 million which I believe is international.

Ms. CARPENTER. I believe that a number of countries have begun to make good on those pledges. We are still talking about a fairly short period of time.

Mr. ACKERMAN. In our district they walk into the local branch of Telaviv and they get away with \$4 billion in pledges. Maybe you can help us through this transition.

Ms. CARPENTER. I think there are a couple of important things to point out, that these pledges that were made at the ministerial meeting were apart from international contributions to UNTAC, and that represents an additional very large pot of money, and I think many of those contributions have produced tangible results.

I can't speak for all the other donors, but I met yesterday with the head of the Australian Development Assistance Organization who talked about Australia's program in Cambodia, which is focusing, among other things, on demining, providing bridges for rural areas, some of the same areas that we are looking at, but also a few others where we are not active, such as agricultural research and that sort of thing.

I think there are a number of donors that are extremely active and many of them I suspect will be encouraged by the improve-

ment in the security situation in Cambodia, and I would hope that we would see a real commitment, an obligation of all those pledges within a relatively short period of time.

Mr. ACKERMAN. Let me ask a general open question to maybe bring this into focus and into some kind of conclusion.

What would you point to as the major weaknesses in our policy right now toward Cambodia, and what can be done to strengthen those and what should we be looking at to add to the kind of success that we would like to see come out of this?

Mr. QUINN. I think the most important things that we can do are, one, to maintain and continue our contributions bilaterally, multilaterally for economic development because if economic development doesn't occur, then the prospects for this all taking hold are reduced.

Secondly, it is our belief that there needs to be an ongoing United Nations presence, not in the way that UNTAC was of course because that period is over and the Cambodian Government is in charge, but as a—one, attainable manifestation of an ongoing international community concerned with the country, so therefore, we have pressed at the U.N. for there to be a small, very small, 20, 25 member military observer force that could be there which could be the eyes and ears of the international community in terms of the military situation.

We need to continue to press human rights there and, through the U.N. Human Rights Commission for it to have a presence, and by its presence, to one, reassure Cambodians so that they maintain their confidence in the system, and secondly, to bring to our attention any type of wretched deprivation that might occur so that we could respond to it, and grapple with demining.

I mean, that is part of economic development, but it also has a very big humanitarian concern. I would have to say those—I don't think those things are perfect now. We are still working on them. I wish they were all in place and fully operating, but it is—this is a new process, a transition from the end of the peacekeeping operation that has been successful, and we don't have a lot of experience with that in the international community, but that is the type of thing where I see our emphasis now.

Ms. CARPENTER. I am not sure I would want to focus on what is wrong with our policy. I think our policy has been a very good one. I think the fact is, though, that the needs are so much greater than what the United States could ever provide on its own. There are gaps and we are trying very hard to work with the international community to try to fill those gaps.

The transition from this period of heavy U.N. assistance to this next phase, as Secretary Quinn pointed out, is going to be a very delicate one; and we are concerned about certain areas where there is a need to continue assistance for a while to keep things going—for instance, for demining. And the United States has stepped forward to try to encourage the development of a Cambodian capacity in this area, but the needs are really tremendous, and demining is really going to be a very, very long-term problem and it is not something that the United States alone can solve.

I think our concerns are more in recognition of the overwhelming needs that this country has at a time when it is trying to deal with

building democratic institutions, reforming its economy, trying to become self-sufficient, dealing with internal security problems still. I mean, this, for any country, would be quite overwhelming.

Mr. ACKERMAN. Let me thank each of you for your participation in our hearing today. You both have made major contributions to our understanding as we continue our deliberations on U.S. policy. I thank both of you. I hope to see you again.

Ms. CARPENTER. Thank you very much, Mr. Chairman.

Mr. QUINN. Thank you, Mr. Chairman.

Mr. ACKERMAN. We will bring up our second panel. Frederick Z. Brown, Director, Southeast Asian Studies, School of Advanced International Studies, John Hopkins University; Joel Charny, Overseas Director of Oxfam America; and Dinah Pokempner, Consultant for Asia Watch.

Mr. ACKERMAN. Welcome to each of the three of you. The staff director tells me maybe we should go from left to right. Sometimes we start in the middle and go both ways. If you have a preference you would like to suggest, we are open to it.

Mr. CHARNY. No. We are at your disposal.

Mr. ACKERMAN. Thank you. Left to right.

STATEMENTS OF FREDERICK Z. BROWN, DIRECTOR, SOUTHEAST ASIAN STUDIES, SCHOOL OF ADVANCED INTERNATIONAL STUDIES, JOHNS HOPKINS UNIVERSITY

Mr. BROWN. Thank you, Mr. Chairman, for this opportunity to testify before the Subcommittee on Asian and Pacific Affairs regarding the current situation in Cambodia and what direction American policy should take. I have submitted the full text of my remarks for the record.

Mr. ACKERMAN. Without objection, your full submission will be part of the record. You may summarize as you like.

Mr. BROWN. Thanks very much.

I served as an International Polling Station Officer during the May 23-29, 1993 Cambodian national elections that were organized and directed by the United Nations Transitional Authority in Cambodia, UNTAC. I was a member of the 42-person U.S. delegation which served in the provinces of Svey Rieng and Kompong Cham.

I would like to summarize my conclusions and recommendations gained from this experience and from my study of Cambodia in recent years.

First, I think we should recognize, the job in Cambodia is not finished. Excellent initial steps have been taken through the electoral process, through the writing of a fresh constitution and the formation of a coalition government. The United States should be very proud of our contributions, but the effort must be carried forward for months and years if Cambodia is to have a real chance for peace and stability. This will require a steady hand in New York at U.N. Headquarters, in the capitals of the signatories to the October 1991 Paris agreements on a comprehensive political settlement in Cambodia.

The signatories still have obligations to the Cambodia peace process. More money will be needed, certainly not as much as for

UNTAC, but it must be made available lest the U.N.'s investment in peace be lost.

The International Committee for the Reconstruction of Cambodia, I-Corps has already met and pledged additional funds. This is a good sign, but it must be followed through by swift implementation and continued international determination to help Cambodia weather the next few years.

I would like to put in a special plea that the United States support the continued funding of the Cambodia Mine Action Center, CMAC, which has been responsible for clearing the many millions of antipersonnel mines from the Cambodian countryside. It is my understanding that the U.N. has ordered this activity closed as of November 1 for lack of funding. Terminating CMAC would, in my view, be a terrible tragedy and a serious misstep in the efforts of international community to rehabilitate Cambodia after a quarter century of war and genocide.

Second, I think the international community should decide upon the most effective and least costly form of future U.N. presence in Cambodia. UNTAC, which served Cambodia well for 2 years, has all but departed. A new, far smaller U.N. presence is essential. It should have these capabilities:

First, rehabilitation, to oversee and coordinate the flow of international donor aid and to advise the new government on economic and development policy.

There should be U.N. military observers, UNMOs, to monitor the military situation on the countryside with regard to the Khmer Rouge, particularly on the Thai-Cambodian border.

I think there should be an armed forces training contingent, perhaps from France or Australia, to regroup and train the Cambodian forces which are made up of the former State of Cambodia plus the two noncommunist factions' military forces into a unified army with coherent command and control. In this context, the United Nations should consider continued payment through early 1994, perhaps beyond, of the salaries of the Cambodian armed forces and of the government civil service.

There should be a small advisory component to keep alive the Cambodian capabilities created by UNTAC's information and education unit, which played such a vital role in the pre-election period.

And there should be a legal advisory unit to help the Cambodians reorganize their judicial system which is in extremely bad condition.

Third, I would suggest that we should permit the new Phnom Penh government some latitude in negotiating the future status of the Khmer Rouge to include these questions: A, the status of the senior leadership; B, the status of territory now under Khmer Rouge control; C, ways and means of accelerating defections from the Khmer Rouge ranks and incorporation back into the Cambodian society; and D, the general question of how and when the Khmer Rouge are to be destroyed, since it seems improbable that their leaders will ever forswear their ideology.

A permanent solution in Cambodia will obviously take years to work out. But I would submit that only Cambodians can defeat the Khmer Rouge through a combination of military, political, economic

and broad social measures. The international community can assist, but it cannot do the job for the Cambodians.

Fourth, I would suggest that the United States in cooperation with France, Japan, and others should quietly press Thailand to take measures that would end the business relationships on the Thai-Cambodian border which nourish the Khmer Rouge, in effect permitting the Khmer Rouge to survive.

Fifth and finally, I urge the Congress to fund fully the USAID programs for Cambodian and the nongovernmental organizations, the NGO's, that help implement these programs. The NGO's and the private voluntary organizations are cost-effective and contribute immensely to the rebuilding of Cambodia. This is important to a durable peace in Cambodia, to the stability of continental South-east Asia and, I would submit, eventually to American strategic interests in that region.

Thank you very much, Mr. Chairman.

Mr. ACKERMAN. Thank you very much.

[The prepared statement of Mr. Brown appears in the appendix.]

Mr. ACKERMAN. Ms. Pokempner.

STATEMENT OF DINAH POKEMPNER, CONSULTANT, ASIA WATCH

Ms. POKEMPNER. Mr. Chairman, with your permission, I would like to enter my full testimony into the record.

Mr. ACKERMAN. Your full statement, as submitted, will be included in the record, and you may summarize.

Ms. POKEMPNER. Thank you. This hearing comes at a critical juncture in Cambodia's transition from United Nations supervision to a new government under King Norodom Sihanouk. While the U.N. mission is at an end, the new Cambodian Government mission is in its infancy, faced on one side with continued war against the Khmer Rouge and on the other with enormous tasks of national administration and reconstruction.

Mine eradication and human rights programs that were initiated by the U.N. mission are vital to heal the terrible devastation of Cambodian society, and yet these programs are in danger of withering for lack of strong international funding and support. If the investment in the peacekeeping mission is to pay off, now is not the time for the international community to walk away from Cambodia.

I am going right to what we see as urgent human rights problems. As you know, the U.N. mission in Cambodia was a time of mixed effect for human rights in Cambodia. On the one hand, the elections provided a profound experience of genuine political participation and civic action for million of voters. Indigenous human rights groups formed and are gaining strength. Elections and drafting of the Constitution provided the first opportunity for open and free political debate. Significant numbers of officials and citizens have been trained in basic principles of justice and human rights. But unfortunately, the pre-election period was marred by gross human rights abuses, and there has been very little action in calling those who committed the abuses to account.

This, in turn, led to a climate of impunity, which prevails today at all official levels. The absence of any mechanism or precedent of

holding serious human rights abusers to account poses one of most urgent challenges to the new government. The same police and military officials responsible for assaults, murders, rape, torture and bombings remain in place; and the government has not given any sign that these officials will ever have to answer for their crimes.

The justice system is still in shambles. The Constitution grants no clear, explicit authority to courts to punish misbehavior by the police or military. A broad range of measures to rehabilitate the police, the legal system, and the courts is urgently required, as well as a public inquiry into the abuses that took place under high officials to deter their reappointment to positions of responsibility.

I am also going to talk about the mine situation. The continuing war with the Khmer Rouge ensures the planting of ever more land mines in a country where 1 in about 250 persons are amputees. Mine clearance is very slow and very costly. Although this is discouraging, it is imperative if social and economic rehabilitation is ever to occur in Cambodia. Mines have rendered large amounts of Cambodia's arable land unusable and they have choked access and movement throughout the country. One U.N. official recently warned if we can't find a remedy for the mine problem, it will be remedied limb by limb.

Demining will take many years and millions of dollars. The international community which, for over 20 years, supplied the mines that have plagued the country must now supply the funds. The Cambodian Mine Action Center, CMAC, which was to assume and coordinate demining activities after the U.N. mission, is today almost entirely out of funds. I understand that it can only continue until about mid-November.

Approximately 1,400 Cambodian deminers have already been given leaves of absence and the international staff is preparing to leave.

There is something that has to be dealt with on an emergency basis. It is a shocking situation, especially in light of the U.N. General Assembly's resolution just a few days ago, stressing the urgency of demining and requesting the Secretary General to advise on the establishment of a trust fund for mine clearance.

Another crisis that awaits resolution is the fate of tens of thousands of ethnic Vietnamese who fled the Khmer Rouge massacres during the U.N. mission. Thousands of them are now living in squalid conditions at the Cambodia-Vietnam border.

The Cambodian and Vietnamese government are moving cautiously on this issue and recently agreed to establish a technical group on the issues of immigration control and border agreement. This is a very encouraging sign. A public statement was issued by eight Cambodian human rights groups and nongovernmental organizations on granting citizenship to the Vietnamese who are long-term residents of Cambodia. This was an especially brave declaration considering the widespread and extreme enmity many Cambodians bear toward the Vietnamese. These groups also urge the citizenship and residency rights of others be resolved according to the humanitarian principles and the convention on the reduction of statelessness, which they recommended both countries ratify.

The international community and the United States should strongly support this initiative urging Cambodia and Vietnam to make resolution of the status of these displaced Vietnamese a priority.

A final tenacious problem is prison conditions which remain abusive despite monitoring by UNTAC, the International Committee of the Red Cross and many other organizations. So far, the new government has allowed rather limited access to prison for Cambodian human rights monitors but it has expressed interest in assistance for prison reform.

Some of the elements that will go into future human rights protection in Cambodia are as follows:

As of October 1st, 1993 the UNTAC human rights component gave way to an office of the Geneva-based Human Rights Center and formal U.N. monitoring of human rights abuses came to an end.

This office of the Center is very small. It is not anywhere near as well funded as the UNTAC office was. Although the Peace Accords called for the U.N. to consider appointing a special rapporteur for Cambodia, opposition from ASEAN caused the position to be recast as a special representative whose duties would center on administration rather than monitoring.

Nevertheless, the special representative, through his or her duty to consult with the Cambodian people and report on the human rights situation, can play an important role as an observer. And for this reason it is especially important for the representative to be an individual of high integrity and proven experience in human rights monitoring in light of the diminished U.N. presence in human rights.

I understand the Center is only funded through early December and has only got three professional staff on site now. I think eight positions are allocated. But this presence, this reduced presence, comes just as the new government has stepped up its request for assistance in areas such as prison reform and provision of judicial advisors. Much more assistance and many other kinds of programs will be required to create the new institutions called for by the Constitution, establish appellate courts and draft all the laws necessary to secure constitutional rights.

The new Constitution guarantees rights but almost all of them depend on definition by law, so there is an enormous task ahead. In the meantime, indigenous human rights groups and nongovernmental organizations have assumed a critically important role in bringing abuses to light and pressing for their ratification.

In addition to their education activities, these groups are now training members to act as criminal defenders and human rights investigators. They played a pivotal role during the drafts of the Constitution, pressing to open the secretive process to public comment and lobbying for inclusion of strong human rights guarantees also.

The United States has given enthusiastic support to these nongovernmental organizations, but we feel it would do well to encourage support from other donors too, so these groups do not compromise their independence and influence by becoming too closely identified with any one donor.

One complicating factor in Cambodia's immediate future is the ambiguous posture of Thailand which continues to supply and shelter the Khmer Rouge notwithstanding the Thai Government's loud protesting to the contrary. At the end of September, Thai military sources reported the disbanding of Unit 838, a border intelligence source which for years served as a liaison with the Khmer Rouge and a funnel for aid and arms. It will remain to be seen whether this step actually signals Thailand's disengagement from military and business relations with the Khmer Rouge, or whether it is just cosmetic.

Multilateral pressure is essential to persuade the Thai authorities, who have profited greatly from the multibillion-dollar mission next door, to behave like decent neighbors. Our recommendations are as follows:

Urgently, the United States and the international community must take immediate action to ensure that CMAC, the Cambodian Mines Action Center, can continue to function with the personnel, both foreign and local, and the equipment it requires. The funds are needed on an emergency basis, and an appropriate U.N. department has to be selected to responsibly administer the program long-term.

We feel that countries such as the United States, Great Britain, Russia, China, Vietnam, Italy, Singapore and Thailand, who either supplied the Cambodian parties with mines or trained them in their use, bear particular responsibility in this effort.

We also advocate that the Cambodian Government outlaw the use of land mines and the United States should press all parties to relinquish and destroy their stockpiles.

The U.N. Center for Human Rights in Geneva should be urged to appoint a Special Representative to Cambodia as soon as possible so that the official may commence the job of consulting with the Cambodian people and reporting on the human rights situation. The United States should play an active role in proposing individual candidates of high personal integrity and proven human rights experience.

Am I running out of time?

Mr. ACKERMAN. No, not at all. We made a conscious decision not to work the lights.

Ms. POKEMPNER. I will try to be quick.

Donor support is also critical to ensure that the U.N. Human Rights Center office in Phnom Penh can meet the new government's requests for assistance in areas such as prison reform and provision of foreign judicial advisors, especially from Asian countries, who could assist in court administration and the development of appellate courts which basically don't exist or don't function in Cambodia right now.

This request of the government signals a marked change in attitude in favor of rule of law, and we hope that these projects could begin as soon as possible.

The United States and the international community must support the relief efforts to ethnic Vietnamese, who have been driven from their homes, and encourage the Governments of Vietnam and Cambodia to resolve their status as soon as possible.

The United States and its allies should insist that Thailand cease all military and logistical support for the Khmer Rouge, and respect the bans on gem mining and export of logs from Cambodia.

The United States and the international community should strongly encourage the government to protect existing human rights organizations and to facilitate free and unrestricted human rights monitoring by both Cambodian and foreign nongovernmental organizations.

We have also made recommendations on the issue of accountability. A few of them, I think, bear particular emphasis.

One is that UNTAC has documented scores of human rights abuses, but publicly exposed only a few perpetrators. It hasn't even made public the final report of its own human rights component or records or investigation by other components of the peacekeeping mission. We feel the United States should urge the publication of all investigations in a manner consistent with the protection of witnesses. The release of such information for the public record is vital not only for the new government as it assumes responsibility for redressing human rights violations, but also as a means of establishing the principle of public accountability in a country where impunity for the most bloody abuses has been the norm.

The Cambodian Government, in turn, should be urged to conduct public inquiries into abuses committed during the peacekeeping period.

I would also urge us to start thinking creatively about interim measures to support the protection of human rights in Cambodia. Obviously, the realization of an independent and competent judiciary is going to take time. For that reason, we support such ideas as a Cambodian Government ombudsman office or a human rights commission that would be empowered to neutrally investigate abuses and make public reports.

U.S. policy on aid to Cambodia should not hinge solely on the participation or nonparticipation of the Khmer Rouge in the government. This is ultimately a decision for the Cambodian polity, although the United States can and should object to the participation of leaders directly responsible for abuses. The United States can encourage the collection of evidence of the atrocities perpetrated by the Khmer Rouge during their time in power and advocate that such leaders be brought to justice.

And finally, any aid, direct aid to the Cambodian Government, whether from the United States or international organizations, we feel should be conditioned on the government's adherence to fundamental norms of human rights and enforcement of accountability for gross abuses. This is particularly true for direct aid to Cambodia's police and military forces which, in the past, have committed egregious violations with impunity.

Thank you very much.

Mr. ACKERMAN. Thank you very much.

[The prepared statement of Ms. Pokempner appears in the appendix.]

Mr. ACKERMAN. Dr. Charny.

STATEMENT OF JOEL CHARNY, OVERSEAS DIRECTOR, OXFAM AMERICA

Mr. CHARNY. First, I would like to thank the chairman, Representative Ackerman, for inviting me to testify on behalf of Oxfam America on the current humanitarian situation in Cambodia; and we will address the implication for USAID programming.

Like the others, I will be paraphrasing and have submitted written testimony for the record.

Mr. ACKERMAN. Without objection, your written testimony is submitted for the record.

Mr. CHARNY. Oxfam has been working in Cambodia since 1979. I personally have been working on this issue since 1980 and I think there has never been more hope for a positive future for the people of Cambodia. But I think we have a number of cautionary examples.

As you pointed out in the beginning of your statement at the beginning of the hearing, whether it is Angola or Nicaragua or now the threat to the peace process in Mozambique, there are many cautionary examples that elections and peace agreements, in and of themselves, are not enough.

In Cambodia, without a shadow of a doubt, the United States led the effort since the late 1960's to overfund the war, overfund the process of destruction in Cambodia and it will be a tragedy for the people of Cambodia were we to underfund the peace. And I think as we see in Angola right now, if we underfund the peace, if we don't stay involved in the situation, suffering and political instability result.

Now, peace in Cambodia is within reach, but not yet assured. I think the Khmer Rouge threat is real, and I echo the testimony of my colleagues that Thai military and economic support is critical to the survival of the Khmer Rouge, and I think that is something that was missing from the U.S. Government testimony that we heard earlier today.

The United States really must take on the issue of Thai military support to the Khmer Rouge. I think, no, it may be impossible to defeat—

Mr. ACKERMAN. Say that again.

Mr. CHARNY. I really think the U.S. Government needs to take on the issue of Thai logistical and military support to the Khmer Rouge. In other words, as long as the Khmer Rouge can get R&R in Thailand, as long as they can count on Thai military trucks to transport them from one part of the border to the other, it is going to be very difficult—it really affects Cambodian sovereignty.

The new Cambodian Government needs to feel that it has total control of the full territory of Cambodia, and I think, to the extent that we believe that the Thais are undermining that, we need to make representations to the Thai Government to express our displeasure with that.

On the humanitarian side, I think you have the same structural difficulties as in the 1980's. To this day, one child out of five born in Cambodia dies before he or she reaches the age of 5. You have a low literacy rate. You have female-headed households struggling to survive.

We were discussing just before our testimony the issue of the inability, especially of female-headed households among the returning refugees, to make a life and to survive in Cambodia. All of these humanitarian issues remain very real.

And I think we also can't forget or ignore the negative impact of the UNTAC presence. There was just an unbelievable quantity of dollars introduced into a very fragile economy with no regulatory structure, no legal structure for the conduct of business or for the conduct of government and a level of greed was unleashed in Cambodia, admittedly led by many Cambodians. But with so many dollars floating around, there is just a tremendous negative or corrosive climate in Cambodia right now and it is going to take a major effort to turn that around.

The UNTAC presence caused social problems, a huge increase in prostitution in Phnom Penh, and the resulting incidence of HIV and AIDS infection.

In terms of our recommendation for a USAID program, we—I don't think we heard any specific figures for fiscal year 1994 during the earlier testimony. Our understanding is that the administration's current request for Cambodia is \$24 million as compared to \$60 million in fiscal year 1993. Our feeling is that \$24 million is not enough. Apparently, there is a possibility of applying economic support, contingency funds for Southeast Asia; apparently, there is a \$20 million contingency and there is a possibility that all of that money could be applied to Cambodia. We would recommend that that be done; in other words, that the level of AID assistance to Cambodia be more in the \$40 to \$45 million range, as opposed to the \$20 to \$24 million range. And the reason we say that is, one big infrastructure project would eat up virtually the entire amount of the fiscal year 1994 allocation.

Now, I was very pleased to hear earlier that one of the main priorities for AID funding is going to be capacity building for the Cambodian Government. We feel that that is absolutely key and that is our overarching recommendation.

The Cambodian Government is weak, yes, but to bypass the Cambodian Government and work through NGO's or to work directly is just continuing the dysfunction of the Cambodian Government. Fundamentally, Cambodians can manage their own development and they need to be given the resources to do so.

So again, I was very pleased to hear that we are going to be putting money into things like planning training, finance training, assistance in the creation of a legal framework. This is the framework for reconstruction that Cambodia absolutely requires at this stage.

In terms of sectors and programming, I echo my colleagues in underscoring the importance of survival of CMAC. I don't think the U.S. financial commitment to CMAC is in question; it is a question of working the U.N. bureaucracy to allow CMAC to survive. And if that takes an intervention at the level of the United Nations or an intervention with UNDP, I would hope that the administration would do so urgently.

An issue that I don't think has received enough attention today is what we put number two in terms of priorities, which is training

for demobilized soldiers—and again I am thinking of the Angola experience, the Ethiopia experience.

I mean, leaving aside the disaster in Angola, in Ethiopia, it is very difficult to travel in certain parts of the country because demobilized soldiers are running around with guns that either they kept or they were able to buy in the market for \$40.

The whole issue of committing funding for vocational training for soldiers who have given up their arms, I think is absolutely key.

Other important sectors would be agriculture and small scale irrigation. We haven't heard anything about the environment today. For the last 2 or 3 years, basically there has been clear-cutting of some of the last and best virgin forest in Southeast Asia to sell for profit, again, across the border into Thailand. And I think it is absolutely critical that the Cambodian Government be given the management capacity to oversee the sustainable exploitation of Cambodia's resources.

And I would caution that in our rush to encourage free market development in Cambodia that we try and not look at this as a place that we can exploit, avoid environmental protection, and so on. I would hope that the U.S. Embassy would not encourage any U.S. investment which has a negative impact in terms of environment or in terms of sustainability of Cambodia's resource base.

We think infrastructure is also critical, rural roads in areas of economic importance. And then we should retain a component, if possible, of basic needs programs, focusing on vulnerable groups.

USAID has put a lot of money in funding through U.S. PVO's for the local NGO sector in Cambodia. We would like to sound a cautionary note on that. While we think the development of an indigenous NGO sector in Cambodia is very important, an indigenous one, the fact is there are very few effective Cambodian NGO's at this point. There is a lot of money chasing very few organizations. And given our druthers, we would prefer that AID really focus on building government capacity as opposed to using U.S. Government money in search of effective local organizations on the ground in Cambodia.

The issue for us ultimately is, the Cambodians have been disempowered, abused, trampled on, and have suffered now for 24, 25 years. They played a huge role in their own suffering, but the international community has treated Cambodia very poorly. And I think to walk away or, as I said earlier, to underfund the peace at this stage would just be a disaster for the people of Cambodia.

So we recommend that USAID and the U.S. Government play a leadership role in creating an enabling environment for Cambodians to manage their own reconstruction.

Thank you.

Mr. ACKERMAN. Thank you.

[The prepared statement of Mr. Charny appears in the appendix.]

Mr. ACKERMAN. Well, that was all very interesting. I think you went from right to left. Lots of questions, I guess.

Let me start with Mr. Brown, if I may. In your oral statement, as well on page 8—as I went through it again—of your written testimony, you spoke about eliminating the Khmer Rouge; and the word you used was to “destroy” the Khmer Rouge. And it wasn't

a question of should we or not, but you asked the question, how or when.

In terms such as "destroy the Khmer Rouge," how and when indicates to some of us that you are talking about a military destruction. Or am I misreading that?

Mr. BROWN. No, sir. I am talking about an effort that would obviously have to have at some point, I suspect, a military component, but I am talking about a very broad economic and socially based campaign with regard to the Khmer Rouge.

The strength of the Khmer Rouge, in my, view equates directly to the weaknesses of the current Cambodian Government and Cambodian society at large. And the extent to which those weaknesses can be turned into strengths so that the country can be developed in many social ways—through a legal system, through education, through economic, through gainful employment—to that extent, the Khmer Rouge is going to be weakened.

Now, at some point, I suspect there is going to have to be a military shoot-out with certain parts of the Khmer Rouge, I would hope the small remainder of the top leaders; but I think before that happens there is going to have to be a great deal more strength created economically, politically, and socially on the part of the current Cambodian Government.

In the end, there will have to be, I am afraid, violence probably against the leadership of the Khmer Rouge—either that or they are going to die of old age. But I don't think the terms "to destroy the Khmer Rouge" and "to strengthen the government" are mutually incompatible.

Mr. ACKERMAN. Is what you are suggesting, then, that we embark upon the educational process and the institution-building that others today have suggested to the extent that democracy takes greater root, the economy has an upturn, and all those good things we would like to see happen, therefore weakening the effectiveness and the *raison d'être* of the Khmer Rouge to such a point that their numbers are diminished, and then at that number, go get them?

Is that—

Mr. BROWN. If you have to go get them, yes. I have used the term "destroy." It is an extreme term.

Mr. ACKERMAN. At what level, or indication or indices would we look? I don't mean an exact number. I know we don't have one, or you don't contemplate an exact number, but roughly where should we be?

We heard today that the number of actual Khmer Rouge fighters, depending on whose estimates, is anywhere from 8,000 to 14,000.

Mr. BROWN. I think it is also a question of the people that those fighters control. There may be many tens of thousands of Cambodians who are either under their heavy influence or under their control.

These are the people who should be the first targets, namely, to help these people defect from the Khmer Rouge-controlled areas into the government-controlled areas, give them a new life, give them a job, give them the opportunity to live in peace, and then gradually the hard core of the Khmer Rouge leadership is going to have less and less effectiveness.

Whether you have to winnow it down to 100 or 200 or 300, I don't know, but in the end, I suspect that those last hard-core people will not go gently into the night. I doubt it very much.

Mr. ACKERMAN. Would you compare them to the IRA in Belfast?

Mr. BROWN. I wouldn't want to make any kind of a comparison. I think——

Mr. ACKERMAN. Do you think——

Mr. BROWN. I wouldn't want to make a comparison. I don't think that would be apt, certainly not to the IRA. I think—at some point, it seems to me very unlikely that the Khmer Rouge hard-core leadership are going to simply turn themselves in to stand trial. I don't think that is going to happen.

Mr. ACKERMAN. Would either of you like to comment on that?

Mr. CHARNY. I think the most encouraging thing is the response to the amnesty program and the upwards of 2,000 defections that apparently there have been from the Khmer Rouge to the government side since July. The only thing—other thing I would add is just, can the Khmer Rouge sustain a war that is no longer a nationalist war? In other words, with the Vietnamese realistically finally out of the picture, and with a king—remember now, a king—are they saying they are going to be able to motivate their guerrillas to fight Sihanouk? Well, I am not sure that is as feasible as it was in the 1960's.

Ms. POKEMPNER. I would just add this is another reason why the issue of the ethnic Vietnamese has to be addressed. This is one of the Khmer Rouge's main propaganda points and main credentials as supernationalists among Cambodians, even intellectuals in Phnom Penh, who detest their slaughter but admire their supernationalism.

So resolution of the issue of the status of these ethnic Vietnamese residents and a firm commitment by the government toward their protection and a mechanism to resolve their citizenship are essential.

You have to defuse this issue, or the Khmer Rouge are going to always have a handle to appeal to Cambodian popular sentiment. And I would echo all the other recommendations as to rural development and the necessity to penetrate Khmer Rouge areas with information, education, roads, access—open them up as best as can be done.

Mr. ACKERMAN. There were many other similar threads and strands in the testimony of each of the three of you. One of them that you each spent a considerable amount of time calling to our attention was the problem of live mines.

How much money was in that U.N. program scheduled to end, I believe it was November 1st, by the U.N.? Was that the date?

Mr. BROWN. I do not know the exact amount of money. You are talking about money that was left in that fund?

Mr. ACKERMAN. No, how much money has been spent—what was the fund's capacity?

Mr. CHARNY. I think what I heard earlier today is that the proposed—I am looking forward instead of back—that the proposed budget was on the order of \$600,000 to \$1 million per month, so a maximum of about \$12 million per year would be required to sustain the Center's activities.

Ms. POKEMPNER. Again, this is only an extremely vague, ballpark figure, but when I was in Cambodia around March, demining operations had taken up somewhere in the neighborhood of about \$9 million. Demining is very expensive, especially if you don't want to blow up your deminers. And it is very, very slow and criticisms have been levied at the U.N. on how it initially spent its money and where it set its priorities. But all reports I have heard say that, at this point, the Cambodian Mine Action Center is fairly well organized and you have this terrific core of between 2,000 and 100—1,400 former soldiers who have been trained as deminers. And this also hitches into the importance of keeping up demining as an occupation for former military personnel, to give them some means of livelihood and employment rather than holding people up with their weapons.

Mr. ACKERMAN. There is a certain irony in that you are asking them to give up their arms and possibly lose their other limbs.

Ms. POKEMPNER. Actually, the terms for deminers are very reasonable employment. It is a very dangerous business, but the foreign experts that have trained the deminers have been extremely careful and cautious. There have been very, very few casualties. There are also provisions made for their compensation in the event of injury. So it is actually one of the few areas in Cambodia where there is social insurance.

Mr. ACKERMAN. Pretty high risk.

Mr. Charny, you had stated that you would rather see the money in any kind of a system basically go to the Cambodian Government or through the Cambodian Government rather than to NGO's.

Mr. CHARNY. I think some—the basic human needs work, I think—you know, working on, say, small scale agriculture or rural education or something like that—I mean, I think that component, if it is retained in the AID program, then in 1994 should continue to go through NGO's. What I want to emphasize, or the point I was trying to make, is that it is really key now, with the new government in place, to focus on government capacity building. So I am focusing more on the training side, on the technical advisory side, again, giving the Cambodians the capacity to manage and to plan the reconstruction of their country.

I think there was a strong tendency both for political reasons but also for operational reasons to just say, well, there is no capacity in Cambodia, we are just going to go in and rebuild Cambodia.

I think that was the attitude of the international community in 1991 and 1992, partially so they didn't have to have any dealings with the Hun Sen government, but partially also because it was just easier to do it that way. And my only point now is, you know, the government is in place; ultimately these are Cambodian problems, and they need to be solved by Cambodians.

Mr. ACKERMAN. Does anybody want to comment on that?

The question of Thailand and their reported assistance to the Khmer Rouge, evidently Pol Pot has no problem getting a tourist visa to Thailand.

Mr. CHARNY. None whatsoever.

Mr. ACKERMAN. What kind of pressure would you deem appropriate for us, either unilaterally or multilaterally, to place upon the Government of Thailand and can, indeed, the Thai control entry

and access across their border and the sale of lumber, even if they were as predisposed to doing it as they protest they are?

Mr. CHARNY. What I was referring to in my testimony, in particular, were reports that I had read in the weekly bulletin of the Indochina Project here in Washington about Thai military logistical support to the Khmer Rouge. I agree that controlling the logging and the private dealings in distant parts of Thailand and Cambodia is very difficult. But clearly the Thai military, either independently of their central government or under central military orders, continued to provide military logistical support to the Khmer Rouge; and that is something that I would hope that the Government of Thailand could stop.

Now, being a naive humanitarian and not a diplomat, I don't know honestly what the best way is to approach this issue; whether, you know, it is something that, as Professor Brown suggested, should be done quietly—I don't know what the mechanism for that would be—or whether somehow the government finds a public way to raise the issue.

But the Thais are pretty much getting away scot-free, in my opinion, on this issue, now 2 months on to the—one month on to the formation and consolidation of the new Cambodian Government.

Mr. ACKERMAN. Dr. Brown.

Mr. BROWN. I think some small progress has been made on this front in that the Chuan Leekpai government, which is not a very strong government at this point in Thailand, is beginning to rotate some of the military commanders away from the Thai-Cambodian borders and to other posts in Thailand. I think this will have a helpful effect. It is certainly not enough.

But over time, I would hope that all those Thai commanders that have business dealings with the Khmer Rouge or who are actually supporting logistically the Khmer Rouge would be moved from the border. This takes a stronger government in Bangkok than what you have at the moment, and I would be very surprised if the United States would risk destabilizing the Thai Government simply to convenience the current government in Phnom Penh. I don't think that is a realistic expectation.

However, over time with the Japanese and the French and others contributing—and I wouldn't use the term "pressure," don't pressure the Thai—you explain the wisdom of certain courses of action which they sooner or later will recognize; and I think over time that will happen, but it is going to take not months but probably years before it does.

Mr. ACKERMAN. Let me just for the record state that both the administration here in Washington and at least this subcommittee chairman have made the point to the Government in Thailand that we think it would be appropriate to take the kind of measures and steps to do exactly what you are saying. But short of that, there are those who, I do understand, don't have the patience to wait the years or the months for that to take hold.

I will throw this out to the three of you:

What more should AID be doing in Cambodia? Is the direction of what they are doing, in your opinion, appropriate, or would you

like to see something else emphasized or some other thing deemphasized?

Mr. BROWN. In my view, it is always easy to say, give us more money, and there isn't a big enough pie to cut up any more, to go much further in monetary and financial terms on Cambodia.

AID should encourage the international financial institutions area and other donors, obviously Japan, but there are others besides Japan to contribute.

I doubt very much that the United States can allocate much more money than it is planning to do right now to Cambodia. It would be nice to think that it could, but I don't think that is realistic. But I think we can be more—we can be very energetic in the international arena with the international financial institutions, et cetera, to encourage more donations, bilaterally and multilaterally.

Ms. POKEMPNER. As I have mentioned in my testimony, we feel that support for projects, such as providing legal advisors and other kinds of technical assistance that will help jumpstart the Cambodian legal system, is essential. It is going to take a long time to train competent judges and to develop a defense bar. It has to begin now, or it is just not going to happen. And I think that is an area that AID is interested in participating in.

We also—I would also echo what Fred Brown said in that it is very important that we encourage other donors, particularly for groups like private voluntary organizations and human rights groups. It is splendid that we are supporting them now, but they need to have a multiplicity of sources of support.

There is already a backlash in Phnom Penh when these groups are seen as being solely supplied by the United States. They need to be politically neutral in order to be effective.

Mr. CHARNY. I pretty much support what I heard about AID's future directions and would only make very minor modifications, I think, the small ones that I noted. I think it is just a matter of priority, again the issue of possibly putting money into the training of demobilized soldiers and the importance of building environmental criteria into the AID programs, but again with the overarching focus on building government capacity. I think that is the right way to go.

Mr. ACKERMAN. Well, it is interesting indeed to hear there is a country that is in need of more lawyers.

Mr. CHARNY. Shocking, but true. Maybe we can export some from the United States.

Ms. POKEMPNER. We can supply them.

Mr. ACKERMAN. I basically heard no criticism of AID.

Ms. POKEMPNER. Their programs—

Mr. ACKERMAN. I am not soliciting it.

Ms. POKEMPNER. Their programs so far, I think, have been helpful; and I think it was good to hear that they are considering a change in emphasis which I think is necessary toward institution building.

On our pleasantries about lawyers, I would just repeat that while I think the United States needs to support this, it doesn't necessarily have to be American lawyers. In fact, I think legal advisors from Asian countries would be more helpful to Cambodia just be-

cause their experiences in the legal systems they come from would be more similar to what Cambodia is trying to build.

Mr. BROWN. Mr. Chairman, if I may, nobody has mentioned the current cold war in Cambodia between the Anglophones and the Francophones. This is one of those ridiculous byplays under the UNTAC era and it is still existing in the area where France believes it should have priority in terms of training the—training the Cambodian law system. This is creating a lot of difficulties because some of the Cambodians, I have heard them say, after we finish 6 years of law training in French, we are going to have to spend 2 years learning English in order to be able to talk to the Thai and Vietnamese and people we do business with.

But I frankly don't know what the United States or this administration can do to quell this kind of cold war, but it does go on.

Mr. ACKERMAN. We will have to get those law books from New York real quick.

It is also good to hear that so many reinforce the positive things that we are hearing about AID and their role. You should be very happy to hear that, as well.

If we can go from AID to AIDS, Joel, I think it was you that brought up the HIV situation in Cambodia. How serious is this problem? Is it more serious than in other places in Asia?

Mr. CHARNY. It certainly is not more serious than other places in Asia, but it is one of those things where you went from no problem whatsoever to a very significant problem in Phnom Penh because you had 22,000 soldiers and a sex industry created to respond to that. And just, you know, this was—the sad part of this was this was protested by the Cambodian people from day one of the UNTAC troop presence in June and July of 1992.

In other words, you had to control the behavior and the conduct, the inappropriate conduct of the UNTAC troops in Phnom Penh, but you know, while Akashi did an excellent job in many respects, on this issue his response was basically, well, boys will be boys.

And you know, now that the HIV infection has been introduced in a serious and significant way in Phnom Penh, I think we can expect it to be a major public health problem for the foreseeable future and an issue that will have to be addressed through public health and educational and other measures.

Mr. ACKERMAN. Are you saying that this problem is basically caused by UNTAC?

Mr. CHARNY. Yes.

Mr. BROWN. I would respectfully differ because it is also caused by the return from the Thai refugee camps of 350,000 people who have lived in Thailand for 10 or more years, and in many cases, have been infected in Thailand. They are now scattered all over Cambodia itself, and that is also creating a problem.

I would also point out that UNTAC is taking home many UNTAC—many military contingents are taking home reminders of AIDS in terms of having acquired it in Cambodia and spreading it in their own country. It is really bigger than Cambodia.

It is also spread fairly virally through Vietnam where many of the prostitutes originally came from during that period, so it is a region-wide problem.

Mr. ACKERMAN. It is the intent of this subcommittee to hold a separate hearing on the problem of AIDS and HIV in Asia and in the specific area of jurisdiction. It is interesting that it has been brought up in this context, the movement of troops, U.N. troops, and also returning refugees and other similar migratory patterns.

If could you name one major change or one thing you would want to emphasize as far as U.S. policy toward Cambodia, what would that be, and maybe we could go down the line as well.

Mr. BROWN. My suggestion would be a very difficult one to implement. It would be to keep Cambodia on the forefront of American foreign policy as a success story—So far, so far, we should not let it become a momentary thing, but a permanent phenomenon.

Given all the other competing stories, horror stories, around the world, it is hard to do because bad news sells more papers than good news, but if somehow we can keep in the mind's eye of the American public the fact that Cambodia still matters, it still needs help, it is a success so far, since 1991, that the United States played a leading role in that success from 1991 on, I think that would be very helpful.

Ms. POKEMPNER. I would pick out two things, one is the long-term commitment to Cambodia. We can't just say, gee, it was a great U.N. mission and now it is over. We have to be there in the long term with advisors and with aid.

A lot of the things that need to be done for Cambodia are going to require a lot of money over many years. And hand in hand with that, we have to recognize that for the short term, the foreseeable future anyway, external aid is going to play an enormously influential role in Cambodia's administration and politics, and we should use our influence as one of the major donors to insist that measures are taken to hold people accountable for horrendous violations of human rights. Just as we wouldn't give money without asking for a financial accounting, so we shouldn't support the donation of funds without some kind of mechanism in place to make sure that gross violations are not the norm, the way that things go in Cambodia.

Those would be my two thoughts.

Mr. CHARNY. My recommendation is along similar lines but it is sort of paradoxical. I think on one hand, we have to stay the course, have the commitment, demonstrate that commitment, provide a leadership role, but do it in a way that respects the people of Cambodia and fundamentally—in other words, our—the framework for the implementation of our program should be that it is time for the Cambodians to be at center stage in the rebuilding of the country and how you do that while simultaneously being a major donor, and so on, is a very difficult balancing act.

But I would hope that we would be able to show our commitment to Cambodia in a way that fundamentally enhances Cambodian capacity and Cambodian unity and Cambodian control over their destiny.

Mr. ACKERMAN. Sounds like my mother's philosophy, which is, if you want to help me, help me my way.

Let me thank each of you very much for your very important contribution to today's hearing. It has really been helpful to this subcommittee, and to those—to members who are not here who will

read the record of what you had to say, both during the give and take of the questions, and in your entire prepared text.

You have made a contribution to our deliberations for which we are in your debt, and I want to thank each of you very much. Please continue to communicate with us on this or other issues because we value your opinion.

Thank you very much, this hearing stands adjourned.

[Whereupon, at 5:30 p.m., the subcommittee was adjourned.]

APPENDIX

STATEMENT OF KENNETH M. QUINN
DEPUTY ASSISTANT SECRETARY OF STATE
BUREAU OF EAST ASIAN AND PACIFIC AFFAIRS

BEFORE THE HOUSE SUBCOMMITTEE ON ASIA AND THE PACIFIC
OCTOBER 27, 1993

Mr. Chairman and members of the Subcommittee, I welcome this opportunity to testify before your committee on Cambodia.

I would like to begin by sharing with you two moments I will never be able to forget. The first was more than twenty years ago -- June 1973 -- when I stood on a mountain top along the Vietnam-Cambodian border and watched as the Khmer Rouge launched their reign of terror by burning Cambodian villages. For as far as the eye could see Cambodian hamlets were ablaze as the Khmer Rouge forced people from their homes and toward a radical new style of life -- and death -- in work-till-you-drop camps. We are all far too familiar with the staggering loss of human life that followed the Khmer Rouge takeover of the entire country.

The second moment was only a month ago. I stood in another high place -- the 37th floor of the Waldorf-Astoria Hotel -- as

Secretary of State Christopher presented Prince Ranariddh, the democratically-elected Prime Minister of the new Royal Government of Cambodia, with the old brass plaque that had marked the Cambodian Embassy in Washington closed in 1975. It was a moving moment symbolic of the renewal of the old Cambodia, the one the Khmer Rouge had tried to destroy. Suddenly, the room filled with spontaneous applause, and even usually detached members of the press joined in. We all realized that Cambodia and the United Nations -- with unwavering American support -- had scored a stunning success, and the long suffering Cambodian people now had a chance for peace and democracy.

In view of this significant accomplishment -- the Cambodia peacekeeping operation was one of the largest and the most effective ever -- there has been surprisingly little mention of Cambodia in all the recent discussions of international peacekeeping. UN peacekeeping in Cambodia, carried out under the auspices the UN Transitional Authority for Cambodia (UNTAC), involved the deployment of 22,000 military and civilian personnel and the untiring work of thousands of UN volunteers. Few observers gave the UNTAC effort much of a chance of success given the fact that UNTAC personnel faced enormous challenges in a country devastated by war and plagued

by the ongoing presence of the brutal Khmer Rouge.

Even after the Paris Accords, many knowledgeable observers remained pessimistic about the chances of the Cambodian peace process succeeding. As recently as six months ago -- despite the fact that about 370,000 refugees had already been able to return to Cambodia from camps in Thailand -- few analysts were optimistic about Cambodia's prospects. Conventional wisdom suggested that Khmer Rouge violence and intimidation would prevent large numbers of Cambodians from participating in the UN-sponsored Constituent Assembly elections.

Under these difficult and dangerous circumstances, UN personnel showed considerable courage and made great sacrifices. Although there were no U.S. fatalities, nine international volunteers were killed and 38 injured as a result of military hostilities. There was also a significant financial cost to the international community; UNTAC's peacekeeping assessments totalled approximately \$1.7 billion, of which the U.S. share was 30.4 percent, about \$517 million. Without UNTAC, however, the elections that were essential to restoring peace and democracy to Cambodia would not have been possible.

The UN's success in Cambodia reflected various factors.

UNTAC Chief Yasushi Akashi and UNTAC Military Commander General John Sanderson were highly effective leaders. UNTAC vigorously used its authority to make its own decisions. It developed and implemented an excellent strategy for disseminating information on how democratic elections work. Key Core Group countries -- the Perm 5 plus Japan, Australia, and Indonesia -- provided essential support throughout the process from developing the UN framework to implementing the agreement. Important neighbors like Vietnam and Thailand also made major contributions as external military assistance to all Cambodian factions was cut off. The ASEAN countries stepped in at a key juncture to provide much-needed military equipment to UNTAC, as did Australia and the United States.

America's strong backing for UNTAC should be no surprise; the very idea of a UN focussed Cambodian settlement was first articulated right here, in the House Foreign Affairs Subcommittee on Asia. Under two Administrations U.S. support for UNTAC and Cambodia has been bipartisan. For over a decade the American people have provided the humanitarian assistance to keep refugees alive, humanitarian aid to the displaced and sick inside Cambodia, financial and material support for the peacekeeping effort and funds to support the process of rebuilding the country. In total, we have provided

approximately \$900 million to Cambodia since 1980, more than any other country has given.

Mr. Chairman, Americans have the right to ask what tangible results this huge contribution has yielded. To best answer this, it may be helpful to recall that in 1990: civil war raged throughout the country, essentially between two Communist movements; there were no democratic values apparent anywhere outside the areas in which the non-communist resistance operated; people were arrested for expressing politically divergent views; the administrative mechanisms to bring basic human services were collapsing; neither King Sihanouk nor any other non-communist leader had set foot in Phnom Penh in over a decade; and U.S. officials were unable to enter the country much less carry out activities to account for our POW/MIA's.

Today, the situation is quite different: free and fair elections were held, leading to the establishment of democratic government and a constitutional monarchy; about 370 thousand refugees have returned to build new homes; thousands of political prisoners have been freed; there has been a sharp drop in infant mortality; hundreds of kilometers of desperately needed roads have been demined and reopened; a fledgling independent media, including opposition radio and television stations as well as publications, is operating; there is a new

respect for human rights and fundamental freedoms; and the United States has an Embassy in Phnom Penh and we are we are receiving excellent cooperation on POW/MIA issues.

In sum, Mr. Chairman, we can report to our people that our aid helped Cambodia survive and gave it the chance to be recreated in the image of the society which existed prior to Khmer Rouge depredations.

Mr. Chairman, it is appropriate to recognize the important role the United States, the United Nations and other countries have played in helping restore peace to Cambodia. However, it is the Cambodian people who must receive the greatest credit for the change which came about. If ever there was a people who could be justified in being intimidated politically, it was the people of this war-torn country. However, on those memorable days in May they demonstrated their courage and desire for democracy by defying the Khmer Rouge and going to the polls in unprecedented numbers. More than 90 percent of Cambodians who were registered to vote cast ballots. And in so doing, they struck the most powerful blow for the peaceful transformation of their country.

Since the elections, the trend of events in Cambodia has been largely positive: a democratic Constitution was adopted;

Prince Sihanouk was elevated to King; and a new Royal Government of Cambodia was formed, led by First Prime Minister Prince Ranariddh, whose FUNCINPEC party won the May elections, and Second Prime Minister Hun Sen, leader of the runner-up Cambodian People's Party (CPP). Moreover, the Constitution stipulates that Government Ministers and State Secretaries must be Members of Parliament or members of parties represented in the Parliament. This effectively excludes the Khmer Rouge -- who boycotted the elections -- from these positions. While the Khmer Rouge threat remains real, KR troops have been defecting in significant numbers in recent weeks.

The Cambodian Leadership has responded positively to President Clinton's letter to King Sihanouk recognizing the new government and proposing establishment of diplomatic relations. As a result, the United States Government has upgraded its Mission in Phnom Penh to an Embassy and looks forward to the early opening of a Cambodian Embassy in Washington. UNTAC's period of authority has ended and it is in the process of packing up; all UNTAC personnel and peacekeeping forces will have departed by mid-November.

But let me be absolutely clear; despite these impressive achievements, future success is not assured. Cambodia is one of the world's poorest countries, with a per capita GDP of less

than \$200. Its infrastructure is devastated. The Khmer Rouge leadership remains intact. Traditional political problems like corruption could come to the fore and weaken the new government. Cambodia lacks the institutions and adequate numbers of trained personnel needed for a mature democracy.

As Cambodia grapples with these problems, key questions in the short term include the degree of cohesiveness in the new government and the prospects for quick economic growth. In the longer term, the strength or weakness of the Khmer Rouge will be a critical factor, as will the degree of effectiveness of efforts to build lasting and truly democratic institutions.

It will be up to the Cambodians to find answers to these questions, but the international community can and should continue to help. The UN needs to maintain an effective presence. NGO's, which were so essential to the delivery of humanitarian support, should keep up their highly effective efforts to assist the Cambodian people in innumerable areas. The business community needs to explore aggressively the new opportunities in Cambodia.

International financial and economic assistance will also be critical in the country's reconstruction and development. At a conference in June 1992 in Tokyo, international donors

pledged a total of \$880 million for Cambodian development. The United States Government was able to report at the follow-up session, the September 1993 International Conference on the Reconstruction of Cambodia (ICORC) in Paris, that we had more than fulfilled our share of the pledge, providing over \$135 million in FY 1992-93.

To protect this investment in Cambodia, it is vital that appropriate aid levels be maintained in FY 1994 and beyond. We need to remain engaged in international efforts to help Cambodia address its pressing problems. Our budget requests address the beginning of the effort to reconstruct Cambodia. In the short term, we are providing \$2 million to help finance the expenses of the transitional administration and we are seeking authorization to commit an additional \$2 million from the current assistance pledge to help keep needed UNTAC assets, mainly equipment for demining, in Cambodia. The Department's Bureau of Refugee Programs (RP) has pledged \$1 million to HALO Trust, a demining NGO, and \$700,000 to the Cambodia Mine Action Center (CMAC). \$200,000 of this money is earmarked for Handicap International, another demining NGO.

We are making this investment in demining because during the war and unrest in Cambodia from 1970 to the present, the number of land mines laid in that country may have reached

seven million. Mines have resulted in almost 40 thousand amputees and almost as many deaths. It is estimated that some two to four million mines remain uncleared. They pose great danger to farming communities, cause environmental destruction, and hinder economic growth.

Another important thing we can do is help to ensure that the international community does not forget about Cambodia now that the UNTAC period is over. UNTAC's mandate officially ended on September 27, just after the formation of the new government. By November 15, UNTAC will have totally withdrawn from Cambodia. Of course, Cambodia still faces enormous political and economic challenges, including dealing with the Khmer Rouge. To help the Cambodians meet these challenges and ensure that the progress that has been made is protected, there will, at the Cambodians' request, be a limited post-UNTAC UN role in Cambodia. The UN is ending its UNTAC peacekeeping, although the Cambodians have asked that there be a modest post-UNTAC UN military observer presence. The United States supports this request. The main focus of the international community will appropriately be on human rights, demining, rehabilitation, and reconstruction.

In post-UNTAC Cambodia, it is vital that the NGO's sustain their invaluable efforts in areas like rural community development; assistance to displaced persons; health,

agriculture, and education; demining; vocational training and the environment. NGO efforts to advance human rights have been highly successful and should continue, as should the superb work in other areas that some 100 international and 20 local NGO's have been doing in Cambodia.

Business community and private sector involvement in Cambodia is also critical. I would encourage American firms to explore the opportunities in Cambodia, with its small but potentially dynamic market. Informal sector industrial activity and the support structures of distribution and transport have been growing rapidly over the past four years. Small private firms have been expanding at a rapid rate, although infrastructural and macroeconomic factors have constrained their expansion.

For our part, given Cambodia's tragic recent history, we will be especially vigilant in monitoring the country's human rights situation. We will work closely with the new government, other countries, international organizations, and NGO's to ensure that the human rights of the citizens of Cambodia are respected. We are ready to support any requests that the new Royal Cambodian Government makes for assistance in

trying those responsible for grave crimes against their own people and against humanity. The U.S. assistance program in Cambodia will include funding for human rights and democratization projects. As with all countries, our bilateral assistance and our support for multilateral assistance will take into account Cambodia's human rights record.

The recent record on human rights is impressive. Cambodia experienced a democratic and human rights revolution in 1993. The free and fair elections held in May provided Cambodians a remarkable opportunity, which they seized, for self-determination. To be sure, some problems remain: political violence and intimidation marred the election campaign; the Khmer Rouge insurgency continues to pose an armed threat to the new government; and the problem of ensuring fair treatment for ethnic Vietnamese in Cambodia remains unresolved. However, many of the improvements in the human rights environment achieved in 1993 will be difficult to reverse and should help ensure that which we all have worked so hard for: that Cambodia is never again returned to the desperate repression of its recent past.

House Foreign Affairs Committee
Subcommittee on Asia and the Pacific
Statement by Margaret Carpenter
Assistant Administrator for Asia and the Near East
Agency for International Development
October 27, 1993

Mr. Chairman and Members of the Subcommittee, I welcome this opportunity to discuss the role of the U.S. Agency for International Development (USAID) in the international effort to support Cambodia's reconstruction. This is my first appearance before your subcommittee and I look forward to working with you to assure that U.S. development assistance in Asia and the Pacific reflects U.S. interests and the emerging needs of this dynamic region.

As our nation continues its debate on the role of the United States in the post-Cold War world, we should not ignore Cambodia as an example of successful international support and coordination. With determination and outside help, the Cambodian people have turned despair into hope. Cambodia has emerged from years of foreign occupation and civil war to join the ranks of the world's democracies. Two years ago over 370,000 Cambodian refugees still languished in border camps in Thailand. Today they have returned to Cambodia, many to their native villages; they are rebuilding their homes and cultivating their fields. After decades of mistrust and battle, Cambodians are attempting to join hands in one army and one government. The killing fields have not been miraculously transformed into Utopia, but hope has undeniably replaced despair. The international community should continue to support the Cambodian people in their courageous effort to transcend the tragedy of their modern history.

The material support of the international community to Cambodia's reconstruction has been steady, generous, and well-coordinated. One of the formal instruments of the Paris Peace Accord of October 1991 was the Declaration on the Rehabilitation and Reconstruction of Cambodia. The June 1992 Ministerial Conference on the Rehabilitation and Reconstruction of Cambodia, held in Tokyo, produced donor pledges totaling \$880 million. By that time an interim administration had been established under the Cambodian Supreme National Council, led by then-Prince Sihanouk, and this administration was supported by the United Nations Transitional Authority for Cambodia (UNTAC). From the inception of the UNTAC-supported transition, international assistance has played a critical role. The ministerial conference also established the International Committee on the Reconstruction of Cambodia (ICORC) for the purpose of coordinating this external assistance.

At the ICORC meeting in Paris last month, it was announced that an impressive 96 percent of the \$880 million in pledges had been formally committed. As of last month, the largest donor commitments were the following: Japan (\$148 million committed), the United States (\$136 million), France (\$54 million), Australia (\$40 million), Sweden (\$32 million), Netherlands (\$31 million), and Britain (\$23 million). These figures do not include contributions to UNTAC; and it is important to note that the international donor community contributed approximately \$1.7 billion to this successful peacekeeping effort, of which the U.S. contribution amounted to about \$517 million.

The determination of the Cambodian people has been the primary reason that this peacekeeping effort has succeeded. Clearly there were times when it seemed that the transition to democracy might be derailed, but the continuing commitment and courage of the Cambodians in each instance moved the process forward, often at great personal risk. It is only within this context that support from the international community was able to bear the fruits which we are seeing today.

I will now turn to the USAID program in Cambodia. Our current program has developed in the following three stages: Stage One consisted of humanitarian assistance to non-communist groups in northwest Cambodia; Stage Two consisted of assistance administered by the newly-established A.I.D. Mission in Phnom Penh to provide critical humanitarian assistance to vulnerable groups and to support the peace process, elections, and the formation of the new government during the UNTAC period; and Stage Three, our current assistance program, supports the nation-building efforts of the new Cambodian government. While our support has evolved during these three stages in order to reflect the changing political conditions in Cambodia, our fundamental goal has remained the same: to promote a democratic society in which all Cambodians can prosper and live in peace. I will discuss briefly each of these stages.

Stage One began in 1986. At the time the United States Government was supporting the two non-communist resistance movements within Cambodia. A.I.D. provided these groups with food, medical equipment and supplies, vaccines, potable water,

transportation, and training in the areas of community development and health care. This program had a significant impact, improving the health status of recipients, lowering the infant and child mortality rates in the area and improving nutritional status of women and children.

Stage Two began with the signing of the Paris agreement in October 1991, whereupon A.I.D. established a bilateral program for Cambodia. The focus of our assistance during this period was the establishment of mechanisms to meet pressing humanitarian needs in the absence of government services, to move forward the peace process, and to facilitate the transition to a democratic government. The level of funding for the A.I.D. program during the UNTAC-administered transitional period was \$23 million in FY 1992 and \$59 million in FY 1993.

In the area of humanitarian assistance, A.I.D. funded numerous projects administered by U.S. Private Voluntary Organizations (PVOs) and international organizations. These projects included the following:

- Providing prosthetics to war victims and those injured by land mines. Such projects are implemented by the American Red Cross and the Vietnam Veterans of American Foundation.
- Improving maternal and child health through immunization, health education, and potable water. These projects are implemented by the American Refugee Committee, the International Rescue Committee, UNICEF, CARE, World Relief, World Concern, World Education, and World Vision International.

- Skills-training and income-generation projects of World Concern, International Catholic Migration Commission, and World Relief to meet the needs of a generation whose education has been interrupted.
- Providing assistance for the creation and growth of indigenous PVOs.

Overall, our PVO program has provided basic humanitarian services throughout virtually all provinces except those in which the Khmer Rouge was active.

To support the peace process and the promotion of democracy, A.I.D. provided grants to the National Democratic Institute, the International Republican Institute, the Asia Foundation, and the UN Human Rights Centre for the purpose of training political parties prior to the May 1993 elections and providing observers during the election. The election marked a dramatic turning point for Cambodia, whose people turned out in unexpectedly high numbers -- over 90 percent of the four million registered voters -- to signal their desire for a multi-party democracy. Twenty parties participated in the election; the resulting constituent assembly was made up of three parties. This assembly has now promulgated Cambodia's constitution and the new government has been formed and was formally recognized by President Clinton on September 23.

In order to support this democratic transition, A.I.D. provided assistance for the emergency de-mining and repair of vital rural roads. The restoration of these roads not only facilitated the resettlement of approximately 370,000 refugees,

but it also contributed to the process of national reunification and economic reactivation. In total, over 500 km of rural roads have been rehabilitated with A.I.D. support.

The promulgation of the new Cambodian constitution and the installation of the new government last month marked the beginning of Stage Three of our current program in Cambodia. We plan to build on the activities of the first two stages and continue to support the nation-building efforts of the Cambodian people. While our major decisions regarding new areas of assistance will necessarily await the Cambodian government's setting of its own development priorities, I would nevertheless like to highlight some of the new directions that we anticipate in our program.

First, we are continuing to support the development of a modern, democratic system in Cambodia, with a focus on economic policy. In this context, we are providing technical assistance to several ministries, to the legislature, and to the law faculty at the National University. Since the government is virtually starting from scratch, our assistance in this area is essential. Already, we have provided the new government with technical assistance in macroeconomic planning which has yielded a blueprint for government and donor cooperation. This USAID-funded document has been widely distributed and accepted by the donors as well as the Minister for Foreign Affairs and Economic Planning, who refers to it as the mechanism for managing donor resources. Another area in which we will focus our experience is the development of a legal and regulatory basis for private

investment and economic growth. We plan to provide a long-term technical adviser to the Ministry of Industry to coordinate our assistance in this area.

We will also continue support in the area of human rights. In this regard we have contributed \$500,000 to the UN Human Rights Centre and have funded indigenous human-rights PVOs.

We can share with the new government the lessons learned by other developing countries. Time is of the essence in Cambodia's nation-building effort and Cambodia cannot afford to make mistakes in critical areas where there is already a base of knowledge to guide decision-making and program development. In this regard, we will strive to provide the government with an empirical basis for formulating its new development strategy and economic policies.

In the area of humanitarian assistance, we will continue our support for the provision of basic social services to vulnerable populations -- but in a manner that reduces the management burden of A.I.D. We will continue our support for prosthetics activities. In addition, we will continue our support for non-formal health education, vocational education and income generation activities, social services and maternal-child health and child spacing. We remain committed to supporting local, Cambodian initiatives and will continue our grants to support the development and growth of indigenous PVOs. Twenty-five Cambodian American volunteers have been in country for almost nine months working in various international, local, and foreign non-governmental organizations under the Cambodia-American

Development Organization (CANDO), and we will continue our support to this important effort.

In the area of infrastructure development, the next phase of our road rehabilitation will consist primarily of de-mining and rebuilding Route 4, which is the highway connecting Phnom Penh and the country's sole deep-water port of Sihanoukville. Route 4 is perhaps the single most important unit of infrastructure in the entire Cambodian economy since the only shipping alternative to Sihanoukville is transit along the Mekong River through Vietnam. Originally built by the United States in the 1950s, Route 4 has fallen into disrepair as a result of weather, heavy usage, and war. In addition, we will examine ways to continue support for rural road development as a critical economic prerequisite to developing areas outside of Phnom Penh.

In conclusion, A.I.D.'s program over the past several years has provided critical support to the Cambodian people in their efforts to develop a democratic nation. Our future assistance will of necessity be limited, but we will strive to ensure that our limited resources are devoted to those areas where we can best contribute to this goal.

MAKING THE PEACE IN CAMBODIA

Testimony before Subcommittee on Asian and Pacific Affairs,
House Committee on Foreign Affairs,
October 27, 1993

Frederick Z. Brown, Director of Southeast Asian Studies,
Paul H. Nitze School of Advanced International Studies,
Johns Hopkins University, Washington, DC

Thank you for this opportunity to testify before the Subcommittee on Asian and Pacific Affairs regarding the current situation in Cambodia and what direction American policy should take. I would like to submit the full text of my remarks for the record.

The UNTAC Elections

I served as an International Polling Station Officer (IPSO) during the May 23-29, 1993 Cambodian national elections organized and directed by the United Nations Transitional Authority in Cambodia (UNTAC). I was a member of the 42 person United States delegation which served in the provinces of Svey Rieng and Kompong Cham. With the U.S. group in Kompong Cham were delegations from Russia, Indonesia, France, the United Kingdom, Australia, Canada, Brazil, Sweden, Switzerland, and the Ivory Coast, among others. Altogether one thousand IPSOs from more than thirty nations took part in the elections and were stationed throughout Cambodia's other provinces.

This was an extraordinary opportunity to help Cambodia and to witness the outpouring of enthusiasm by the Cambodian people for the electoral process. The UNTAC IPSOs were more than neutral observers. They were in effect deputized by the United Nations to supervise the conduct of a fair, free, and open election. They had responsibility for the polling stations and final authority on the voting process, including final decisions on voters with questionable documents, on opening and closing of ballot boxes, on whether a polling place should be closed for security reasons, and for supervising the safe conduct of the ballot boxes to and from the nightly safehavens. In my district, I helped process 6,000 voters over a four day period, supervising four teams each

with eight Cambodian workers trained by UNTAC over the months leading up to the election week. I then joined about 100 other IPSOs from the other districts of Kompong Cham to count votes from May 29 through June 1, 1993. In all, IPSOs in Kompong Cham processed more than 600,000 votes of the 4 million cast throughout Cambodia.

The results of the polls are well known. The United National Front for a Independent, Neutral, Peaceful, and Cooperative Cambodia (known by its French acronym FUNCINPEC) received 45.5 percent of the vote, winning 58 of 120 seats in the Constituent (now the National) Assembly. The Cambodian People's Party (CPP), the political wing of the ruling State of Cambodia (SOC) government, received 38.2 percent, winning 51 seats. Other parties took the remaining 11 seats.

Prospects for Democracy?

To what extent did this first attempt at "political empowerment" of the Cambodian people represent a genuine change in the way Cambodians have traditionally viewed their role in the political process? Has this mass electoral experience and the extensive educational and informational efforts put in by UNTAC from October 1991 through the summer of 1993 at a cost of about \$2 billion had any deep political impact on the Cambodian polity?

It would be naive to assert that Cambodia is now on its way to a bright new era where the ideals of participatory, representative governance are firmly implanted. Obviously, such is not the case. Cambodians, particularly those in rural areas who comprise 80 percent of electorate, are still more used to a recessive (if not subservient) posture in politics. They may still be more comfortable with a monarchic system and feudal political relationships, as demonstrated by the initial decision by the Constituent Assembly to hand over great power to Prince Sihanouk, and now more recently to invite him back under the new Constitution as King who "reigns but does not govern."

It may be misleading to talk of "democracy" or the "process of democratization" in Cambodia -- or, for that matter, anywhere

else in the three countries of Indochina -- in the way we Americans think of these concepts. The institutions and ideas necessary to create the social base for democratic practices are in their infancy. These would include observance of basic human rights, the freedoms of press, assembly, and political discussion, as well as other customs that we in the United States take for granted.

Nonetheless, I would maintain that each one of these democratic characteristics are present in post-election Cambodia to a greater degree than at any other time in Cambodian history.

First, the party that lost the election, the CPP, finally agreed to respect the results (after a brief flurry of hostility and an abortive attempt to split off seven provinces in eastern Cambodia.) It agreed to share power. So far it has lived up to its word. Second, a new spirit of political interest by Cambodians is now present. Embryonic new institutions have been implanted in the country. There are for the first time secular nongovernmental institutions including human rights organizations, staffed by Cambodians on the ground and working. Third, clearly, the Cambodians liked to vote. In my view, they will insist on voting again, using something like the UNTAC electoral machinery bequeathed to them. More than 50,000 Cambodians were trained by UNTAC; they are a valuable resource to help ensure that future votes, while perhaps not perfect, will be more free and more fair than previously in Cambodia's history.

These are all hopeful, though not definitive, signs. I think it would be yet another tragedy for Cambodia were the international community to fail to support these tendencies as best we can.

Will the Two Coalition Parties Hang Together -- or Separately?

Will the coalition between FUNCINPEC and the CPP hold together? So far it has done so, at least at the top. Prince Norodom Ranariddh is First Prime Minister; Hun Sen is Second Prime Minister. Less clear is the situation at intermediate and lower ranks. The administrations of the 20 provinces have been divided between the two parties, but not according to way they voted in

the May election. Still, relatively few non-CPP cadres or FUNCINPEC administrators are present in the provincial governments, which means that basic administration in the countryside remains effectively in CPP hands, with attendant political influence.

In June 1993, some observers believed that the CPP would collapse as a viable political entity because of its loss in the May election. Prime Minister Hun Sen was at risk because he was the symbol of the Paris Agreements which he brokered and which allowed the other side to win the election. A power struggle between Hun Sen and Chea Sim (head of the CPP) still exists. Yet apparently they are desperate enough to hang together simply because they need each other. Hun Sen needs Chea Sim because the latter has a stronger following within the Party's internal (and more conservative) apparatus controlling key security functions; Chea Sim needs Hun Sen because the latter is considered more "liberal" in the international community's eyes, thus more acceptable. In the same way, Hun Sen and Ranariddh cling together in order to present a common face vis a vis bilateral aid donors (notably the United States, Japan, Australia, France) and the various international financial institutions which will, for the foreseeable future, provide the bulk of Cambodia's development funding as well as its operating budget.

What about the Khmer Rouge?

The Khmer Rouge remain a major threat to the security of the fledgling Phnom Penh government. The Khmer Rouge no longer appear to have the power to overthrow that government. But they do have the power to hamper the rebuilding of Cambodia's physical infrastructure, to undermine the confidence of the Cambodian people in their government, and to bide their time for a more opportune moment to seek power.

Moreover, King Sihanouk is mortal. He has recently had an operation for a benign intestinal tumor; in recent years he suffered a mild stroke. Were Sihanouk to depart this life in the next two or three years, the Cambodian political scene would be convulsed. In the months that followed Sihanouk's death, the

possible falling out between FUNCINPEC and the CPP, or individual personalities in either camp, could well present the Khmer Rouge an opportunity.

For now, the Khmer Rouge's strength rests upon the weaknesses of the rest of the Cambodia polity including both the winner, FUNCINPEC, and the loser, the CPP. This includes not only the government's pitiful lack of human resources, pervasive corruption at all levels, and widespread banditry and lawlessness because of poverty, but also the weakness of Cambodia's physical and economic infrastructure--roads, telecommunications, health, education and virtually all other administrative services.

Why did not the Khmer Rouge try harder to disrupt the May elections? Clearly, they were uncertain on how to play the election, one day denouncing it and the next day (when FUNCINPEC won) demanding that the CPP honor its results. In March and April 1993, they vowed to disrupt it; a few days before May 23, however, they declared there would be no violence at all. In the end little violence took place -- perhaps less than on a hot August weekend in New York City (or Washington) or a single day in a Philippine presidential election campaign. This was due in part to UNTAC permitting the SOC's armed forces to adopt a more energetic posture and to UNTAC's own heightened military alert. Some analysts believe that the Khmer Rouge leaders actually did order disruption, but that local commanders refused. In any event, there was no all-out effort to interfere with the elections.

The Khmer Rouge probably had no politically wise option. Some analysts argue that even had they tried hard, they could have disrupted only a few areas and that the national voter turn-out would still have reached 80 percent or more -- it is impossible to make a definitive judgement on this point. However, once the Khmer Rouge sensed the determination of the people to vote, it would have been folly to deny them the opportunity. In the end, it was the Cambodian people who forced the Khmer Rouge to abstain from disrupting the election. UNTAC laid out a well designed election plan and executed it better than any of us expected. But it was Cambodians themselves who, collectively in some almost

mystical manner, summoned up the courage to defy the Khmer Rouge in many areas and who went to the polls in overwhelming numbers. The best protection that I had as an international polling station officer in Kompong Cham (one of Cambodia's most contested provinces) was the presence of Cambodian voters.

The Khmer Rouge seemed to have worked on the assumption that the CPP would win handily -- they were dead wrong. And this put them in the embarrassing position of having to argue later that the election results had to be honored. The Khmer Rouge then demanded a 15 percent share of ministerial positions in the new government and 20 percent control over the military. They have been soundly rebuffed to date by the new government.

The Khmer Rouge have lost whatever credibility they might have had as a result of the October 1991 Agreements, and they are ever more isolated politically. Since the signing of the constitution in late September, the government's leaders have toughened their position that the Khmer Rouge no longer have any claim to legitimacy. First Prime Minister Ranariddh, in his initial official act, called on the guerrillas to turn over territory under their control -- including the gem-mining center of Pailin on the Thai border -- and dissolve their army. At least 1,500 Khmer Rouge guerrillas have defected to the government since the elections. Former UNTAC military commander General Sanderson puts the number as high as 2,000.

Policy Recommendations for the United States and the International Community

The above observations should not obscure the real and present danger that the Khmer Rouge still represent. What should we and the rest of the international community do to prevent the Khmer Rouge from returning to power?

1. We should recognize that the job in Cambodia is not finished. Excellent initial steps have been taken through the electoral process, the writing of a fresh constitution, and the formation of a coalition government. The United Nations should be proud of this accomplishment. But the effort must be carried

forward for months and years if Cambodia is to have a real chance of peace and stability. This will require a steady hand in New York at UN Headquarters and among the signatories to the October 1991 Paris Agreements on a Comprehensive Political Settlement in Cambodia; the signatories still have obligations to the Cambodia peace process. More money will be needed -- certainly not as much as for UNTAC -- and it must be made available lest the UN's investment in peace be lost. One conduit for this effort is the International Committee for the Reconstruction of Cambodia (ICORC), comprising 31 donor countries and 11 international organizations, which has already met in Paris on September 8-9 and pledged additional funds to rebuild the country. This a good sign, but it must be followed by swift implementation and continued international determination to help Cambodia weather the next few years.

In July 1993, while UNTAC was still active, the United Nations arranged payment of the salary costs of the Cambodian armed forces, police, and civil service for a few months before adoption of the new constitution and for several months after the assumption of power by the Ranariddh-Hun Sen government. This was an essential step to allow the new government breathing space to get itself organized and up to speed. It should be continued for a few months more into 1994, if needed, in order to avoid chaos in government services.

2. The international community should decide upon the most effective -- and least costly -- form of a future UN presence in Cambodia. UNTAC, which served Cambodia well for two years, has departed. A new, much smaller UN presence is essential with these capabilities :

- Rehabilitation, to oversee and coordinate the flow of international donor aid and to advise then new government on economic and development policy.
- UN Military Observers (UNMOs), to monitor the military situation in the countryside with regard to the Khmer Rouge, particularly on the Thai-Cambodian border.

- An armed forces training contingent (perhaps from France or Australia) which would regroup and train the present Cambodian Armed Forces (the former State of Cambodia plus the two noncommunist factions' military forces) into a unified army with coherent command and control.
- A small advisory component to keep alive the Cambodian capabilities created by UNTAC's Information and Education unit, which played such an important role in the pre-election period.

3. We should permit the new Phnom Penh government some latitude in negotiating the future status of the Khmer Rouge to include these questions: a) status of its senior leadership, b) the status of territory now under Khmer Rouge control, c) ways and means of accelerating defections from the Khmer Rouge ranks and incorporation back into Cambodian society, and d) the general question of how and when the Khmer Rouge are to be destroyed, since it seems improbable that they will ever foreswear their ideology.

In my view, it would seem unlikely that Prince Sihanouk, despite his remarks regarding an "advisory role" for the Khmer Rouge, will act in a way that destabilizes his son's government or creates major cracks in the coalition. First Prime Minister Ranariddh's statements and actions since assuming power appear to be in a sensible direction. Second Prime Minister Hun Sen and Company, as ex-Khmer Rouge, have the most to lose and would seem to have no intention of succumbing to Khmer Rouge blandishments or pressures. A solution will take years to work out. But only Cambodians can defeat the Khmer Rouge through a combination of military, political, economic, and broad social measures. The international community can assist, but it cannot do the job for the Cambodian government.

4. The United States, in cooperation with France, Japan, and others, should quietly press Thailand to take measures that would end the business relationships on the Thai-Cambodian border which nourish the Khmer Rouge, in effect permitting it to survive.

5. It is to be devoutly hoped that the U.S. Congress will fully fund the USAID programs for Cambodia and the nongovernmental organizations (NGO) that help implement them. The latter are cost-effective and contribute greatly to the rebuilding of Cambodia. This recommendation (and number 6, following) is made because success of the UN peace in bringing a durable peace in Cambodia is important to the stability of continental Southeast Asia and, therefore, to American strategic interests in the region.

6. Finally, the United States should find a way to play a more active role in the international effort to protect the Cambodian national archaeological treasures at Siem Reap, including the Angkor Wat temple complex, which are threatened by the Khmer Rouge. Although this, again, is a job primarily for the new Phnom Penh government, a failure to safeguard the heart of the ancient Khmer Empire would have extremely bad political consequences for the Cambodian government.



☐ 485 Fifth Avenue, New York, NY 10017-6104 TEL (212) 972-8400 FAX (212) 972-0905
☐ 1522 K Street, N.W. Suite 910, Washington, DC 20005-1202 TEL (202) 371-6592 FAX (202) 371-0124

Safeguarding Human Rights in Cambodia in the Wake of the U.N. Mission

Testimony of Dinah PoKempner, Human Rights Watch, Before the House
Committee on Foreign Affairs, Subcommittee on Asia and the Pacific

Wednesday, October 27, 1993

It is an honor to appear before the Subcommittee on Asia and the Pacific to discuss the recent human rights situation in Cambodia and the prognosis for the future. My name is Dinah PoKempner, and I am staff counsel with Human Rights Watch, the parent organization of Asia Watch, a non-governmental human rights monitoring group. In May, June, and September of this year, Asia Watch published reports on human rights in Cambodia and the U.N. peace-keeping mission, based in part on field research that I and others performed in the country in February and March.¹ Human Rights Watch is also at the forefront of the campaign against landmines, which have left Cambodia with the highest proportion of amputees of any country on earth, and our Arms Project will publish a major new report on this issue later this month.

These hearings come at a critical juncture in Cambodia's transition from United Nations supervision to a new government under King Norodom Sihanouk. While the U.N. mission is at an end, the new Cambodian government is in its infancy, faced on one side with continued war against the Khmer Rouge and on the other with enormous tasks of national administration and reconstruction. Mine eradication and human rights programs that were initiated by the U.N. mission are vital to heal the terrible devastation of Cambodian society, and yet these programs are in danger of withering for lack of strong international funding and support. If the investment in the peace-keeping mission is to pay off, now is not the time for the United States and the international community to walk away from Cambodia.

¹ Asia Watch, "Cambodia: Human Rights Before and After the Elections," *News from Asia Watch*, vol. 5, no. 10 (New York: Human Rights Watch, May 1993); Human Rights Watch, *The Lost Agenda: Human Rights and UN Field Operations*, (New York: Human Rights Watch, June 1993), pp. 37-74, and Asia Watch, "An Exchange on Human Rights and Peace-Keeping in Cambodia," *News from Asia Watch*, vol. 5, no. 14 (New York: Human Rights Watch, September 1993).

The U.N.-supervised elections this May provided an extraordinary demonstration of the profound desire of Cambodians for peace and democracy. The elections were one of the U.N.'s outstanding accomplishments in Cambodia, and a key to endowing the new government with legitimacy in the eyes of the international community. But they did not solve Cambodia's many problems, including the continuing war with the Khmer Rouge and the complete impunity with which all parties have committed gross human rights abuses.

The Khmer Rouge, who refused to participate in the elections and thus ceded any formal role in the government, now seek a share of power through the battlefield. Their forces have been opposed with some success by the Cambodian government's military, which has incorporated units of the old "non-communist resistance." Negotiations on whether the Khmer Rouge will surrender their territory and armed forces in exchange for a yet-to-be-defined "advisory" role are on hold while King Sihanouk undergoes medical treatment for cancer in Beijing. FUNCINPEC, which won a slim majority of the vote, is still negotiating the division of government portfolios with the former Phnom Penh regime. The peculiar innovation of two prime ministers, allowing Prince Ranariddh and Hun Sen to hold power concurrently, has been carried over in a new constitution. But there yet has been no transfer or division of power at the provincial level or below, where the same authorities that presided over gross human rights violations during the pre-election period continue to hold sway. The new constitution holds out guarantees of rule of law and respect for human rights, yet the basic mechanisms to enforce these guarantees and check official abuses are still lacking and will take time to develop. The new government faces its responsibility for ensuring human rights with assets and burdens it has inherited from the peace-keeping period.

The U.N. Mission and Human Rights Abuses

The task of securing human rights is central to Cambodia's reconstruction; indeed, few countries have been as devastated by war and state abuse. UNTAC faced formidable obstacles as it endeavored to supervise and control administration and ensure no return to "the policies and practices of the past," the peace accord's diplomatic euphemism for the Khmer Rouge holocaust and other atrocities. The absence of a functioning legal system and the lack of independent institutions normal to civil society meant that there were no effective checks on abuse from within Cambodian society, and the compressed schedule of the entire U.N. mission made infeasible the sort of deep reforms that might have left post-election Cambodia with greater internal resources to counter political instability and abuses. Paradoxically, the U.N.'s very efforts to create an atmosphere of political openness for the elections also created new incentives for repression and intimidation.

The legacy UNTAC left Cambodia is mixed. On the one hand, the elections gave millions of Cambodians a profound experience of genuine political participation and civic action; indigenous human rights groups formed and are gaining strength; the elections and the drafting of the constitution provided the first opportunity for open and free political debate in a generation; and significant numbers of officials and citizens were trained in basic principles of justice and human rights. But the nation has also inherited an ongoing war, a

highly politicized administration and courts that are neither independent nor neutral, a pre-election history of grave human rights violations, and the immediate prospect of continuing, unchecked abuses.

The Khmer Rouge refused to open its territory or disarm its forces, attacked Cambodian civilians and U.N. peace-keepers, and slaughtered entire ethnic Vietnamese settlements. While the Security Council formally condemned all these actions, it kept the door open to Khmer Rouge participation in the elections until January 1993, and never moved to exclude the party from Cambodia's sovereign council during the peace-keeping period. Economic sanctions imposed against the Khmer Rouge by the Security Council were flouted in the absence of a mechanism for enforcement. The Khmer Rouge cooperated only with the United Nations High Commissioner for Refugees (UNHCR), who repatriated thousands of refugees under the party's control to other areas of Cambodia. The UNHCR, in turn, aided the resettlement of Cambodians into one area under Khmer Rouge control, Yea Ath, a gesture that failed to stimulate broader cooperation with UNTAC and ultimately left those settlers caught between Khmer Rouge and Cambodian government armed forces. (Many of the displaced have now sought refuge, ironically enough, in the resettlement center of Sisophon and the Thai-Cambodian Friendship School). The present political marginalization of the Khmer Rouge is due more to its own failure to participate in the elections, and less to any determination on the part of the international community to enforce compliance with the peace accords.

Although they are suffering significant defections, the Khmer Rouge appear to be in no mood to relinquish either territory or the war against the central government. The prospect of continuing war has profound implications for Cambodia. The government will have to maintain and arm a large military at a time when resources are desperately needed for reconstruction. Weapons will continue to circulate, fueling the present unchecked crime wave and claiming lives and limbs. Demining will be slowed as the militaries seek to maintain strategic defenses. Yet more civilians will be uprooted while much of Cambodia's small population has yet to fully recover from the forced displacements and deaths caused by the U.S. bombings, the Khmer Rouge era, and the war against the Phnom Penh regime. Transportation and communications will remain prime targets of attack, further retarding any normal economic and social development. And it will be exponentially more difficult to establish the principle of accountability and discipline in the military under conditions of war.

The run-up to the May 1993 elections was marred by severe political violence and intimidation, a far cry from the "neutral political environment" prescribed by the peace agreement for elections. All of the parties to the peace accords sought to control the votes of Cambodians under their administration. In the area controlled by the Phnom Penh authorities (comprising over 80% of Cambodia), scores of opposition party members were murdered in cold blood, and many more assaulted or threatened because of their political activity. According to a confidential U.N. report based on documents captured in four raids on military and police headquarters, the Phnom Penh government created at least two types of

undercover units to attack and infiltrate its political rivals, all the while disclaiming responsibility to the U.N. The non-communist groups were not significantly more amenable to U.N. supervision and control in their small enclaves. Local warlords long resisted U.N. efforts to build an independent police force, legal system, or even a prison. UNTAC monitors discovered the victims of the factional military tied to trees, or summarily executed. In these areas also, residents were warned to vote for the controlling faction or face dire consequences.

Although UNTAC investigated and monitored such gross abuses, it was too often ineffective in holding the perpetrators to account through either administrative discipline or judicial process. UNTAC conducted dozens of investigations into grave human rights violations, in some cases identifying the perpetrators and amassing evidence enough for indictments, but the full results of these investigations were seldom publicized. Dismissals of abusive officials were requested sparingly and sparingly granted. UNTAC could not obtain the removal of a policeman who, in front of a large crowd, brutalized a criminal suspect, much less the removal of the governor of Battambang province, who reportedly had organized hit squads against the opposition parties. UNTAC also took on direct powers to arrest, detain and prosecute serious human rights offenders, but this effort foundered once the Phnom Penh government barred such cases from its courts. Altogether, UNTAC managed to apprehend only four offenders; one died of a heart ailment in U.N. custody, one was released on bail pending trial by the new government, and the two others, abusive prison officials under the Phnom Penh regime, await trial now in the T-3 jail of Phnom Penh.

Urgent Human Rights Problems

One product of UNTAC's failure to insist on accountability for abuses is a climate of impunity that pervades all levels of government. Political violence has faded into the background in the wake of elections and UNTAC monitoring, but political tensions remain high, especially in the countryside where there has been little transfer of power or change of personnel. The same police and military officials responsible for assaults, murders, rapes, torture and bombings remain in place, and the government has not given any sign that these officials will ever have to answer for their crimes. The justice system is still in a shambles, and the constitution grants no clear authority to courts to punish misbehavior by the police. What deterrent effect that UNTAC police patrols and investigations provided is now gone, and the pervasive sense of lawlessness is reinforced by the extraordinary increase in ordinary criminal assaults, which in Phnom Penh especially have driven the population off the streets at nights. A broad range of measures to rehabilitate the police, the legal system, and the courts is urgently required, as well as an immediate public inquiry into the abuses that took place under high officials, to deter their reappointment to positions of responsibility.

The continuing war with the Khmer Rouge has intensified since the election, trailing with it the standard complement of abuses, including the deaths and displacement of civilians, and the planting of ever more landmines in a country with the world's highest

percentage of physically disabled people.² UNTAC's mandate included landmine awareness education, mine mapping and marking, and the training and supervision of Cambodian deminers. Actual demining got off to a slow start, but eventually over 2,000 former Cambodian soldiers were trained and 40 U.N.-supervised demining teams were deployed throughout the country. In addition, three non-profit mine clearance organizations fielded teams in northwest Cambodia, the destination of most returning refugees. Even so, land clearance has proceeded slowly due to security problems, Cambodia's difficult terrain, and the painstaking nature of demining. Various estimates of the number of landmines in Cambodia run between four and seven million, and by all accounts, only a tiny fraction have been cleared so far.³ Continuing hostilities have also set back progress, as the opposing forces refuse to permit clearance of old mine fields, or remine land that had been demined. Many believe that as many or more mines have been laid since the peace agreement as have been removed.⁴

Despite this discouraging situation, mine clearance is imperative if social and economic rehabilitation is ever to occur in Cambodia. Mines have maimed one out of every 236 Cambodians; they have rendered large amounts of Cambodia's arable land unusable and have choked off access and movement throughout the country. As one U.N. official recently warned, "If we can't find a remedy for the mine problem, it will be remedied limb by limb."⁵ Demining will take many years and millions of dollars. The international community, which for over 20 years supplied the mines that plague the country, must now supply the funds.

In mid-1992, UNTAC and Cambodia's interim government established the Cambodian Mine Action Center (CMAC) to assume and coordinate demining activities after the peace-keeping mission. Today, CMAC's funding has run dry. Ieng Mouly, CMAC's director, has announced that it will have to cease demining operations as of November 1, and release its foreign technical staff two weeks later. The U.N. is planning to pull out the basic equipment

² In June, the Khmer Rouge occupied the 12th-century temple of Preah Vihear, and the Cambodian government captured the Khmer Rouge base of Phnom Chat in August and is now moving against Anlong Veng.

³ Estimates of the number of mines cleared by UNTAC vary, but by all accounts, millions of mines and hundreds of thousands of hectares of land remain to be cleared. According to a CMAC report, by early May 1993, UNTAC and non-governmental teams had cleared approximately 2,400,000 square meters of land (or 240 hectares, just under 100 acres), each team averaging about 6,000 to 10,000 square meters per month (approximately 5,000 to 8,400 square yards); 12,000 mines had been cleared and 10,000 pieces of unexploded ordnance were removed. Cambodian Mine Action Centre (CMAC) "Progress Report on the Implementation and Funding Situation of the Short-Term Plan of Operations," p. 6 (Phnom Penh: May 19, 1993).

⁴ For comprehensive reports on the issue of landmines in Cambodia, see Asia Watch and Physicians for Human Rights, *Land Mines in Cambodia: The Coward's War* (New York: Human Rights Watch and Physicians for Human Rights, September 1991) and Arms Project and Physicians for Human Rights, *Landmines: A Deadly Legacy* (New York: Human Rights Watch and Physicians for Human Rights, October 1993).

⁵ "Lack of Money May Halt Cambodian Mine Removal," *Reuter*, October 21, 1993 (quoting Lieutenant-Colonel George Fox, second-in-command of CMAC).

CMAC needs to keep teams working if no agreement on its value is reached with the U.S., which is endeavoring to purchase it for CMAC. Should CMAC fold, thousands of Cambodian deminers will be out of a job, and it will be enormously costly and difficult to reconstitute operations later. This situation is shocking, especially in light of the U.N. General Assembly's resolution stressing the urgency of demining and requesting the Secretary-General to advise on the establishment of a general trust fund for mine clearance.⁶

Another crisis that awaits resolution is the fate of tens of thousands of ethnic Vietnamese who fled Khmer Rouge massacres that claimed over 100 lives since the onset of the U.N. mission. At the end of March 1993, more than 30,000 ethnic Vietnamese fled their villages on Cambodia's great lake, the Tonle Sap. Since July, over two dozen Vietnamese who were attempting to return to their villages have been slaughtered in attacks that were again attributed to the Khmer Rouge. Approximately 3,500 Vietnamese are presently living in squalid conditions at the Cambodia-Vietnam border, with thousands more just inside Vietnam.

King Sihanouk condemned the slaughter, even while the political parties maintained silence or tacit approval in recognition of the potent animosity of many voters towards the Vietnamese. Since the election, the Cambodian and Vietnamese governments recently agreed to establish a technical group to discuss the issues of immigration control and mutual borders. Another encouraging sign is the bold public statement by eight Cambodian human rights groups and non-governmental organizations on granting citizenship to Vietnamese who are long-term residents of Cambodia. They also urged that citizenship and residency rights of others be resolved according to humanitarian principles and the Convention on the Reduction of Statelessness, which they recommended both countries to ratify. The international community should support this initiative, urging Cambodia and Vietnam to make resolution of the status of these displaced Vietnamese a priority.

Yet another tenacious problem is abusive prison conditions, which persist despite monitoring by UNTAC, the International Committee of the Red Cross, and other non-governmental organizations. Cambodia's dilapidated prisons, many of them built by the French in the late 19th and early 20th centuries, are severely overcrowded and unsanitary. Visiting doctors report that inmates frequently suffer malnutrition and disease, and marks of torture are still observed. UNTAC's Human Rights Component in August publicized the death of a 20-year-old prisoner from starvation and neglect to highlight the failure of authorities to rectify abusive conditions. Although most political prisoners have been released, other detainees still suffer prolonged detention before trial, given severe court backlogs. So far, the new government has allowed limited access to prisons for Cambodian human rights monitors, and has expressed interest in assistance for both prison reform and judicial administration.

⁶ "Assistance in Mine Clearance" (draft resolution), General Assembly, A/48/L.5, October 8, 1993

The Future of Human Rights Protection in Cambodia

On October 1, 1993, the UNTAC Human Rights Component gave way to an office of the Geneva-based U.N. Human Rights Centre, and formal U.N. human rights monitoring came to an end. Unlike the UNTAC component, which was mandated to investigate serious human rights abuses and recommend "corrective action," the Centre's mandate is to provide technical assistance, human rights education, and support local human rights groups. Although the peace accords called for the U.N. to consider appointing a Special Rapporteur for Cambodia, opposition from ASEAN caused the position to be recast as a Special Representative, whose duties would center on administration rather than monitoring. Nevertheless, the Special Representative, through his or her duty to consult with the Cambodian people and report on the human rights situation to Geneva, can play an important role as an observer. For this reason, it is especially important that the Representative be an individual of high integrity and proven experience in human rights monitoring.

A Special Representative has yet to be appointed, and the Centre's Phnom Penh office is funded through early December. With eight professional staff, only three of whom are presently on site, and five local staff, it is a much smaller operation than the UNTAC unit which deployed human rights monitors in every province of Cambodia. The Centre's staff continue to administer the remainder of the UNTAC Human Rights Trust Fund, which supports important programs such as training criminal defense specialists and human rights monitors. The reduced U.N. presence and diminished funds come just as the new government has stepped up requests for assistance in many areas. One is prison reorganization and rehabilitation, an urgent need, as described above. Another is the provision of foreign judges to act as advisors to Cambodian courts in matters of judicial administration. The Japanese government has provided some funds, but more are needed to get these projects underway.

Reconstituting a viable justice system is a prerequisite to human rights protection for the long term. The new constitution sets a multitude of difficult tasks in legislation and institution building, for which the government will urgently need international advice and assistance. The regulation and organization of the judiciary and state prosecutors must be determined by a new law. At present, the right to an appeal is guaranteed under pre-existing criminal law. That is laudable, but there is a catch -- an appeals court has yet to begin functioning, and the Supreme Court has hardly ever adjudicated cases. The development of a system of appellate review is an urgent matter for the government to take up. Other bodies must be created by law, such as the Supreme Council for the Judiciary, which is to appoint and discipline judges and prosecutors, and a Constitutional Council, which is to resolve matters of constitutional interpretation. A plethora of rights is to be secured and regulated by laws that must be drafted and enacted, among them the right to bring claims against state bodies, the right to associate and form political parties, the rights of the press, and the right to protection of private ownership, to name just a few.

In the meantime, indigenous human rights groups and non-governmental organizations

have assumed a critically important role in bringing abuses to light and pressing for their rectification. These groups have educated thousands of Cambodians in basic human rights, supplied independent election monitors from their ranks, and now are training members to act as criminal defenders and human rights investigators. They have also played a pivotal role during the drafting of the constitution, pressing to open the secretive process to public comment. Among the specific issues they lobbied for are the inclusion of comprehensive and explicit human rights provisions, the guarantee of an independent judiciary empowered to review executive acts, and strong protections for the rights of women and children. As these groups mature, they are speaking out on matters of public concern, such as equal rights for women, and fair treatment for prisoners and ethnic minorities. The U.S. has enthusiastically supported these non-governmental organizations, but it would do well to encourage support from others as well, so that these groups do not compromise their independence and influence by becoming too closely identified with any one donor.

One complicating factor in Cambodia's immediate future is the ambiguous posture of Thailand, which continues to supply and shelter the Khmer Rouge, notwithstanding the Thai government's loud statements to the contrary. Thailand has refused to allow the Cambodian government to evacuate its troops through Thai territory, and has warned Cambodia it will retaliate should fighting spill across its border. Yet the Thai military recently allowed the Khmer Rouge to launch an attack from Thailand on a U.N. checkpoint, and Thai troops have been observed in Khmer Rouge bases inside Cambodia. Thailand has also tolerated cross-border trade with the Khmer Rouge, and Thai businesses remit huge fees to the party as they carry on logging and gem-mining in Khmer Rouge-held territory, in defiance of the Security Council ban on timber exports from those areas and a Cambodian moratorium on gem-mining. At the end of September, Thai military sources reported the disbanding of Unit 838, a border intelligence force which for years served as a liaison with the Khmer Rouge and a funnel for aid and arms. It remains to be seen whether this step actually signals Thailand's disengagement from military and business relations with the Khmer Rouge, or whether it is merely cosmetic. Multilateral pressure is essential to persuade the Thai authorities, who have profited greatly from the multi-billion dollar mission next door, to behave like decent neighbors.

Recommendations

Urgent Measures for U.S. and Multilateral Support:

1. The U.S. and the international community must take immediate action to ensure that CMAC can continue to function with the personnel, both foreign and local, and the equipment it requires. Funds are needed on an emergency basis, and an appropriate U.N. department, such as the Department of Humanitarian Affairs, should eventually be given responsibility for administration of the program. Donors must follow-up with commitments for the stable, long-term financing of an intensive demining effort. CMAC officials have estimated that it will require \$10 million each year for the next five to ten years to administer

the center and keep 10 mine marking and 40 demining teams in operation. Countries such as the United States, Great Britain, Russia, China, Vietnam, Italy, Singapore and Thailand, who either supplied the Cambodian parties with mines or trained them in their use, bear a particular responsibility in this effort.

2. The U.S. and the international community should urge the Cambodian government to outlaw the use of landmines, and should press all parties to relinquish and destroy their stockpiles. Asia Watch and its parent organization, Human Rights Watch, support a world ban on the manufacture, sale and use of landmines. The international community should immediately enjoin any transport or sale of landmines to parties in Cambodia, and fashion sanctions for violators.

3. The U.N. Center for Human Rights in Geneva should be urged to appoint a Special Representative for Cambodia as soon as possible, so that that official may commence the job of consulting with the Cambodian people and reporting on the human rights situation. The U.S. should play an active role in proposing individuals of high personal integrity and proven human rights expertise, who would be active observers and report comprehensively on conditions.

4. Donor support is also critical to ensure the U.N. Human Rights Centre office in Phnom Penh can meet the new government's requests for assistance in areas such as prison reform and the provision of foreign judicial advisors, especially from Asian countries, who could assist in court administration and the development of appellate courts. The request of the government for such assistance signals a marked change in attitude in favor of respect for the rule of law, and these projects should begin as soon as possible. The international community should be prepared to supply assistance for yet more projects, given the enormous work ahead in training legal personnel and fashioning a legal system that can minimally protect human rights.

5. The U.S. and the international community must support relief efforts to ethnic Vietnamese who have been driven from their homes in Cambodia, and encourage the governments of Vietnam and Cambodia to resolve the status of these persons as a matter of priority.

6. The U.S. and its allies should insist that Thailand cease all military and logistical support for the Khmer Rouge, and respect the bans on gem-mining and export of logs from Cambodia.

7. The U.S. and the international community should strongly encourage the government to protect existing human rights organizations, and to facilitate free and unrestricted human rights monitoring by both Cambodian and foreign non-governmental organizations. That guarantee should also cover the access of the International Committee of the Red Cross to prisons, and access by the United Nations High Commissioner for Refugees to returned

refugees and the internally displaced.

Measures to Promote Accountability:

1. UNTAC has documented literally scores of serious human rights abuses, but it has publicly exposed only a few perpetrators. Nor has it made public the final report of the UNTAC Human Rights Component, or records of investigations by other components of the peace-keeping mission. The U.S. should urge the publication of all human rights investigations, in a manner consistent with the protection of witnesses. The release of such information for the public record is vital, not only for the new government as it assumes responsibility for redress of human rights violations, but also as a means of establishing the principle of public accountability in a country where impunity for the most bloody abuses has been the norm.
2. The Cambodian government, in turn, must be urged to conduct public inquiries into abuses committed during the peace-keeping period. Public exposure and discussion of these abuses will be the first step in sending a message that they will not be tolerated any more. It may also act as a deterrent to the appointment of abusive officials to new positions of responsibility.
3. The practical realization of an independent and competent judiciary will not occur overnight, given the weak state of Cambodia's judicial and law enforcement system. For this reason, the international community should firmly support interim measures to secure human rights, such as the Cambodian government's establishment of an Ombudsman or an independent and politically neutral Human Rights Commission. Any such office must be empowered to investigate human rights abuses, make public reports, and recommend corrective actions.
4. U.S. policy on aid to Cambodia should not hinge solely on the participation or non-participation of the Khmer Rouge in the government. This is ultimately a decision for the Cambodian polity, although the U.S. can and should object to the participation of leaders directly responsible for abuses. The U.S. can encourage the collection of evidence of the atrocities perpetrated by the Khmer Rouge during their time in power, and advocate that those leaders responsible for such offenses be brought to justice.
5. Any direct aid to the Cambodian government, whether from the U.S. or international organizations, should be conditioned on the government's adherence to fundamental norms of human rights and enforcement of accountability for gross abuses. This is particularly true for direct aid to Cambodia's police and military forces, which in the past have committed egregious violations with impunity.

DEVELOPMENT NEEDS IN CAMBODIA AND IMPLICATIONS FOR USAID PROGRAMMING

Testimony before the Subcommittee on Asia and the Pacific

Committee on Foreign Affairs, House of Representatives

by

Joel R. Charny

Overseas Director, Oxfam America

October 27, 1993

I. INTRODUCTION

I would like to thank the Chairman, Subcommittee on Asia and the Pacific, Representative Gary Ackerman, for inviting me to testify on behalf of Oxfam America on the current humanitarian situation in Cambodia and implications for USAID programming. Oxfam America has been working in Cambodia since 1979. In our fourteen years of work in Cambodia we have provided approximately \$6.3 million in relief and development assistance to the people of Cambodia using funds raised from individuals and foundations in the United States. The focus of our program over the years has been primarily in the area of agricultural production and community development. We have worked in the United States in coalitions with other non-governmental organizations to end the diplomatic and economic isolation of Cambodia, the policy of war and embargo which had a devastating impact on the people of Cambodia after years of conflict, Khmer Rouge genocide, and foreign occupation.

The Asia and the Pacific SubCommittee's deliberations today are well timed. With overnment in place in Phnom Penh --- a government which thus far has shown surprising cohesion --- enough political stability exists in Cambodia to consider seriously an agenda for rehabilitation and reconstruction of the country. At the same time, this relative stability is fragile and needs nurturing from the international community. The United States has a historical and moral responsibility to the people of Cambodia to be in the forefront of ensuring peaceful and just development.

II. BRIEF SUMMARY OF THE CURRENT HUMANITARIAN SITUATION

Years of witnessing conflict and suffering in Cambodia lead Oxfam America to emphasize first and foremost that the reconstruction of the country requires peace and stability. While immense progress has been made this year --- due in large part to the courage and will for peace of the Cambodian people --- the Khmer Rouge continue to pose a threat to the country. This threat is two-fold. Khmer Rouge military units continue to harass government forces and kill civilians in large parts of western Cambodia. The Khmer Rouge are also preventing Cambodian government access to key economic resources of the country, notably the gem mining areas near the Thai border. In both cases the Thai military colludes with the Khmer Rouge, crippling Cambodian sovereignty and hampering sincere efforts to bring about a peaceful solution to the conflict.

Given the close alliance between Thailand and the United States, and the dependence of the Thai military on US training and equipment, it is imperative that the United States publicly and forcefully condemn Thai support for the Khmer

Rouge. Were Thailand to cease its support to the Khmer Rouge, the government amnesty for defectors and efforts to dialogue with the leadership would have greater likelihood of success, as the alternative for the Khmer Rouge movement would be complete isolation and struggle against the first legitimate government to rule Cambodia since 1970.

Even were peace and stability to be assured, the obstacles to development for the people of Cambodia are immense. Cambodians cannot meet their basic needs. The public health service is rudimentary and less than 20% of the population has access to clean water. As a result, one in five Cambodian children dies before the age of 5. Primary education is widely available, but the schools suffer from lack of equipment and lack of morale among poorly paid and under trained teachers. There may be as many as 4 million landmines in the country, preventing thousands of hectares of formerly productive rice land from being cultivated. The presence of landmines, coupled with the large numbers of female-headed households and shortage of means of production, means that Cambodia is still unable to assure food security for the 85% of the population living in rural areas. The 23-year war has badly damaged rural infrastructure and prevented investment and maintenance. Even farmers able to produce a surplus have difficulty getting it to market due to poor roads and lack of rural transport.

In the lengthy interim period between the signing of the Paris peace accords in October 1991 and the ratification of the new constitution in September 1993 aid donors failed to make progress against these obstacles and created new ones for the Cambodian people. The massive UNTAC operation deployed too many foreigners with too many dollars, leading to hyper inflation and unsustainable development

in Phnom Penh of businesses to service the foreign presence. The UNTAC presence -- so wealthy and overbearing --- was coupled with the politically motivated refusal of the major donors, including the United States, to provide badly needed budgetary support to the Cambodian government. This in turn exacerbated an existing climate of greed and corruption which will be difficult to transform upon UNTAC's withdrawal. Since 1991 seemingly everything in Cambodia has been for sale to the highest bidder, and the urban elite and the provincial power structure tied into the political parties have made thousands of dollars while the vast majority of the Cambodian people struggle to feed themselves and care for their families. The negative impacts of this interim period have been seen environmentally in the clear-cutting for profit of large tracts of Cambodia's tropical forests. The social impact of the UNTAC presence was also severe. Prostitution and the incidence of HIV/AIDS infection increased exponentially.

III. RECOMMENDATIONS FOR A DEVELOPMENT ASSISTANCE PROGRAM FOR CAMBODIA

The paradox in Cambodia today is that while peace and stability are prerequisites for reconstruction and development, only a major international program of reconstruction can assure the peace and stability which the Cambodian people desire and deserve. The lessons of Nicaragua and Angola are stark: elections in and of themselves do not produce justice and development for the long-suffering victims of the proxy conflicts of the cold war. If the international community overfunds the war and underfunds the peace, the result is political chaos and continued poverty and social conflict. We can say categorically that the international community, led by the United States, has overfunded the war in Cambodia since 1969. The critical question now is whether the United States has

the political will to invest the resources required for a peaceful transition to a stable society in Cambodia.

Oxfam America is concerned that USAID's request for Cambodia for Fiscal Year 1994 is only \$24 million. This is inadequate compared to Cambodia's immense needs and the role that the United States played during the decades of conflict preceding the recent elections. We understand, however, that USAID is considering applying all of the Economic Support Funds Southeast Asia Contingency Fund, totalling \$20 million, to Cambodia. We endorse this idea and strongly recommend that the proposed \$24 million should be increased to at least \$44 million to better respond to Cambodia's needs and better demonstrate a leadership role for the United States in the reconstruction process.

As important as the size of the program are the principles which underly the assistance. Oxfam America has been in the forefront of the international NGO community's efforts to develop guiding principles for the international reconstruction and development of Cambodia. An NGO delegation first presented these principles at the June 1992 preparatory meeting in Tokyo for the International Committee on the Reconstruction of Cambodia (ICORC), the coordinating mechanism for assistance to the country, and recently reiterated them at the first official ICORC meeting in Paris in September. These principles bear mention here:

* Sovereignty: The international donor community, including USAID, must affirm through its actions the sovereignty of the Cambodian people and government to determine their own reconstruction and development needs.

- Respect for local capacity: The international donor community should acknowledge the existence of local capacity --- albeit constrained in the short term --- to carry out much of the reconstruction program. Resources must be mobilized now to strengthen that capacity in order to realize the full human potential at the national and local levels.

- Balanced development: The international donor community should promote reconstruction and development programs that promote an equitable mobilization of available resources on behalf of all social groups in all parts of the country. It is especially important to maintain an appropriate balance between rural and urban investment, considering that 85% of the Cambodian people still reside in rural areas and depend on agricultural and related occupations for their livelihood.

The NGO community recommends these principles to the major international donors even as we recognize the weaknesses of the Cambodian government and civil society. Cambodian government officials are all too conscious of their lack of institutional capacity. At a recent briefing for NGOs in New York, the Foreign Minister of Cambodia, HRH Norodom Sirivuth, actually recommended that bilateral and multilateral aid donors channel assistance through NGOs in order to avoid corrupt government structures.

Nonetheless, the international community must resist the temptation --- and the desire of some Cambodians --- to avoid Cambodian institutions and place resources for the reconstruction of the country in the hands of foreigners. The top priority for USAID's program in Cambodia should precisely be the enhancement of the national government's capacity to plan and manage the development of the country. This would mean support for in-country and overseas training opportunities, investment in training institutes and tertiary education, and the provision of technical assistance in the areas of economic planning, fiscal management, tax and other regulatory mechanisms, environmental laws --- in sum, the management and legal framework for governance. This is nation-building, not in the sense of creating new structures where none exist, but in the sense of giving the Cambodian government the capacity it needs to control the reconstruction process so that it reflects needs and priorities as defined by the Cambodians themselves. If this support is being provided by other agencies, such as the United Nations Development Program, USAID must be sure that these capacity-building measures are technically sound and adequately funded.

Within a framework which places priority on building Cambodian capacity, starting at the national level, Oxfam America also recommends the following priorities for USAID funding in the country:

1) Demining: The estimated four million mines in Cambodia continue to maim and kill and prevent large areas of formerly productive rice land from being cultivated. Demining has been identified as a priority from the beginning of the reconstruction effort, but results have been disappointing. USAID should place significant resources into demining efforts, either through commercial firms or

through specialized military units seconded to the Cambodia Mines Action Center (CMAC). There is concern that CMAC will be dismantled with the imminent UNTAC departure from the country. The US government should ensure that CMAC remains in Cambodia and that its efforts receive adequate funding. The US government should supply both equipment and operating funds as soon as possible to ensure CMAC's survival and enhance its effectiveness.

2) Rehabilitation of demobilized soldiers: As in Ethiopia, Angola, Mozambique, and Nicaragua, providing training and potential employment for demobilized soldiers is essential lest they be reduced to banditry. The trend towards living by the gun is already evident in Cambodia. There are two aspects to the problem in Cambodia. First, the international community needs to support the rehabilitation camps for Khmer Rouge soldiers who have accepted the government's amnesty program. The government has complained that the World Food Program has refused to supply food for these camps. While there may be technical grounds for the refusal, in principle it is essential that the government be provided with adequate resources to back up the amnesty program and thereby help weaken the Khmer Rouge. Second, vocational training programs are essential to train demobilized soldiers for work within a peacetime economy. The anticipated heavy investment in infrastructure development in the next three-five years should provide ample public and private sector employment opportunities in road building, building trades, and similar occupations. Training demobilized soldiers should at least start with occupations which are likely to be in demand during the reconstruction period.

3) Agricultural development: The USAID Cambodia Needs Assessment Report (April 1993) points out that the agricultural sector has been relatively neglected in the reconstruction effort to date. This is an accurate observation. The international donors, to the extent that they have funded in rural areas, have tended to focus on refugee resettlement, education, and public health. The relative neglect of agriculture pre-dates the UNTAC administration. In the 1980s Cambodia depended on limited and inappropriate assistance from the Soviet Union. Both due to embargo and its own institutional weaknesses, the UN Food and Agriculture Organization has accomplished very little since 1979. NGOs have therefore basically been the sole providers of technical support and investment in the agriculture area, with a recent significant boost from the International Rice Research Institute.

USAID should support technical training, including the development of local training and research institutions, the development of an agricultural extension service, rehabilitation of small-scale irrigation systems, and the enhancement of veterinary services. Their funding should support the enhancement of rice production capacity in the rainy season through expanding the amount of available land and protecting it from flooding rather than emphasizing dry season production which is heavily dependent on imported inputs and which strains already depleted soils.

4) Environmental management: The opening of the Cambodian economy has had an immediate, severe impact on the country's natural resource base. There is a strong commitment to environmental protection at the level of the King and some of his close advisors, but the government is totally lacking in the means to

exercise effective control over resources. The USAID environmental strategy should emphasize protection since Cambodia is a rare Asian country which still has forest resources to protect due to the past twenty years of economic isolation. Forest protection in Cambodia has a direct impact on food security, as the forests play a critical role in preventing siltation of the Tonle Sap lake, the main source of fish and therefore protein in the Cambodian diet. The primary need is to build an environmental protection and natural resource management agency, from a central directorate in Phnom Penh to guards deep in the forests of western Cambodia. While this task is too big for USAID alone, they should provide funding and conceptual leadership in partnership with other international funders. USAID should also join other funders to encourage the government to subject private investment proposals to independent environmental review. The United States embassy in Phnom Penh should ensure that its commercial section is not encouraging or facilitating private investments which are unsustainable and deplete scarce forest and water resources.

5) Infrastructure development: The USAID Needs Assessment argued that international donors, notably the Japanese, had already made major commitments to infrastructure rehabilitation, suggesting that USAID could support programs in other areas. Nonetheless, a major USAID commitment in fiscal year 1993 has been \$24 million towards road rehabilitation, including \$16 million for the repair of the main road between Cambodia's one sea port and Phnom Penh. With only \$24 million presently requested for Cambodia in fiscal year 1994, it is difficult to see how infrastructure development can be a major component of the USAID portfolio.

Nonetheless, USAID has shown its effectiveness in infrastructure development; the road currently under repair --- built by USAID in the early 60s --- was the best road in the country twenty years later. With resources limited, however, the infrastructure development component would be better devoted to rural secondary roads and other types of rural infrastructure improvement, including electricity generation in provincial towns, improvement of town and district level water supply.

6) Basic needs programs: USAID should retain a basic needs component, emphasizing the provision of health, education, and other services to vulnerable groups through NGOs. The emphasis, however, should shift increasingly from the provision of services by expatriates to programs emphasizing capacity building and training for Cambodian counterparts.

USAID, using PACT as an intermediary, has provided several million dollars in funding to NGOs, with a recent emphasis on Cambodian NGOs. Oxfam America would like to express some reservations about this program. The Cambodian NGO sector is even less developed than the government. There is now a great deal of funding available for NGO development in Cambodia and very few organizations to receive these funds. In Oxfam's experience bad programming results when funds are chasing organizations. There is a tendency to set up organizations simply to absorb funds rather than carry out well-planned community-based activities. Institutional development of a local NGO sector is best carried out by private foreign funding agencies with long experience in institution building and nurturing of civil society in partnership with fledgling Cambodian organizations. Oxfam America strongly recommends that USAID focus its institution- and local capacity building efforts on strengthening government, as recommended previously.

IV. CONCLUSION

Cambodia today has an opportunity to achieve peace and begin the process of reconstruction and societal healing for the first time since 1970. Having contributed immensely to Cambodian suffering, the US government equally has an opportunity and an obligation to join with other governments and aid donors to provide an enabling environment for Cambodians to rebuild. Concretely, the US government should:

- 1) Publicly and forcefully condemn Thailand for continuing to provide military and economic support to the Khmer Rouge.
- 2) Provide at least \$44 million in assistance to Cambodia in fiscal year 1994.
- 3) Place priority on assistance programs which enhance the new national government's capacity to plan and manage the development of the country.
- 4) Provide concrete assistance to the Cambodian government, multilateral agencies, and NGOs in the areas of demining, rehabilitation of demobilized soldiers, agricultural development, environmental management, infrastructure development, and basic human needs.

This program would contribute to the potential of the Cambodian people to overcome the legacy of 23 years of war and suffering and realize their aspirations for peace and genuine development.

CAMBODIA CAN'T WAIT

Testimony to the SubCommittee on Asia and the Pacific

Committee on Foreign Affairs, House of Representatives

October 27, 1993

by

Anne E. Goldfeld, M.D. and Holly E. Myers

Women's Commission for Refugee Women and Children

After decades of war, Cambodia is a country of women, children and amputees. Cambodian women account for 60-65% of the adult population, many of whom face especially difficult circumstances. Abandoned, widowed, or responsible for their disabled husbands, 30-35% of households are headed by women. Moreover, 47% of the Cambodian population is under the age of 15 years. The lack of trained teachers stymies the educational process; 5 years of schooling takes 10 years to complete. Similarly, the scarcity of doctors dooms Cambodia to suffer one of the highest childhood mortality rates in the world. Cambodia bears the further distinction of having the highest proportion of amputees in the world, giving rise to the current Khmer saying that "The Cambodian of the future will be recognized by his or her one limb".

Thus, as Cambodia attempts to rebuild itself into a functional society after decades of devastation, it faces the daunting challenge of moving forward with a huge, young, illiterate and disabled population. Perhaps the greatest obstacle to the rebuilding of Cambodian society is its extraordinary dearth of human resources. It is to these issues--the needs

of Cambodia's women and children and the ongoing socio-economic and human catastrophe caused by landmines--that we will devote our testimony.

Life for most Cambodians is marginal at best. But for the many families headed by women who shoulder the sole burden of providing an income for their family, as well as caring for children and household, the poverty is absolute. Highest priority must be given to developing and implementing income generating projects for women at the village level. Credit programs must be expanded significantly. Women must be targeted as participants and as key decision makers in rehabilitation and reconstruction projects. Similarly, it is critical to expand opportunities for women to participate in non-traditional income generating projects. Literacy and day care opportunities are crucial if women are to have a realistic chance of participating in economic activities.

The health indicators in Cambodia are among the poorest in the developing world. One in five Cambodian children dies before the age of five. Clean water is unobtainable for the majority of Cambodians. Many villages lack even one well. Thus, diarrhea combined with the effect of malnutrition remains a primary cause of childhood death in Cambodia. Provision of an adequate, safe water supply, including the expansion of programs that build village wells and the overhaul of antiquated urban water systems, is urgent.

In Cambodia, one is confronted repeatedly by the tragedy of children's lives disfigured by endemic malnutrition. Last February, in a returnee

village in western Cambodia, we spoke to a woman carrying what looked to be a newborn. In fact, the baby was 5 months old. With tears slipping from her eyes, this barefoot woman, wife of a man disabled by a landmine, told us that her family's U.N. rice ration was nearing its end. Other children exhibiting classic signs of malnutrition --discolored hair, distended abdomens, and stick-like extremities-- milled about listlessly.

Furthermore, in Cambodia, when a child falls sick, the cost of treatment is often catastrophic to fragile family finances. The single greatest cause of rural debt is medical expense. Impoverished peasants often must sell their major assets --i.e. a buffalo or a pig-- to pay for the treatment of a sick child.

Although a leading cause of death in Cambodia is tuberculosis, there is no coherent treatment program in place or dependable availability of tuberculosis medicines. Furthermore, incomplete or improperly supervised treatment for TB now constitutes a public health nightmare, directly causing the emergence of TB organisms resistant to existing medicines.

Family planning services are not available in Cambodia. Health workers throughout the country described to us how desperate women, unable to support another child, sought dangerous abortions. Abortion, along with the lack of any prenatal care, ranks as a leading cause of the stratospheric maternal mortality rate.

In Cambodia, the major focus must be on a coordinated public health effort including education about basic sanitation, nutrition, family planning and vector borne diseases. Overall coordination of the health system is desperately needed to ensure adequate immunizations and to eliminate serious lapses in service, such as the current failure to provide TB treatment. Skills training and upgrading for medical personnel-- particularly at the community health worker level-- is also urgently needed. Furthermore, medical talent and expertise developed for the past 13 years on the Thai-Cambodian border must be incorporated into the national health system, particularly in the areas of TB management and maternal-child health. It is unconscionable that political considerations have kept well trained medical personnel from practicing their skills in this desperate country.

Cambodia faces an AIDS crisis. HIV infection has increased by a factor of 10 in the past year alone. The population of prostitutes in Phnom Penh during the UN operation flourished, rising from 6000 to 20,000. High risk sexual behavior is widely practiced. Exponential increase in HIV infection is certain without a comprehensive, well funded policy to address the issue. The pernicious relationship between HIV and TB in a country burdened by endemic TB underscores this need. The exploitative trade in women and girls for the commercial sex industry, combined with the economic need that forces women into this deadly trade, are at the root of this problem. An immediate and aggressive public health campaign is mandatory to avert a public health disaster.



It is estimated that there are approximately 4 million land mines in Cambodia. Although widely dispersed, these mines are concentrated in Cambodia's fertile northwestern provinces. In Battambang Province, formerly Cambodia's "rice bowl", 20% of the land has been taken out of production.

One out of every 240 Cambodians is an amputee. From 300 to 700 new mine injuries occur monthly. This is a conservative statistic since for every person counted, two or more are not, having sustained injuries so far from the district center that they never reach the hospital. Invariably, the highest proportion of those injured are the most impoverished; Cambodians who literally risk limb and life scavenging for edible and or saleable items like bamboo or wood. Children tending cattle are another group frequently victimized by landmines. During the recent Women's Commission trip to Cambodia, a traditional Cambodian healer newly repatriated from 10 years living in a border camp was blown up by a land mine while searching out traditional herbs in the forest.

The United States and the international community must commit itself to a comprehensive, aggressive demining effort in Cambodia. Economic and political stability are not possible in Cambodia without the availability of all arable land for productive use and without physical security from random mayhem imposed by ubiquitous landmines. The international community and the parties signatory to the Paris Peace Accords must take the lead in demanding that mines be banned, and that purchase or sale of mines to parties in the Cambodian conflict be a breach of humanitarian law. In January of 1991, the Women's Commission was one of the first

voices to call for an international ban on landmines. This problem, which has reached obscene proportions in Cambodia, must motivate the international community to institute a ban on the production and sale of all anti-personnel mines.

Although a logging ban agreement between Cambodia and Thailand was signed in December of 1992, we saw many trucks bearing huge unprocessed logs into Thailand while travelling in western Cambodia and the Thai-Cambodian border in February of 1993. We were told of clear-cutting of the forest and of massive destruction due to stripmining in the Pailin area. These activities are hurtling Cambodia towards an environmental disaster from which there will be no recovery.

Newly repatriated refugees have returned to Cambodia after years in border encampments only to be forced immediately to flee renewed fighting and join the nearly 200,000 Cambodians who are internally displaced due to ongoing war. Clearly a long term commitment by the international community to ensure that violence and injustice do not return is essential. Those who participated in Khmer Rouge atrocities during 1975-1979 must be held accountable for the crimes against humanity they have committed. Their prosecution would send an unmistakable signal that their intransigence and violence will not be tolerated.

The immediate needs within Cambodia are so pressing that it is difficult to take stock of the next steps needed to help Cambodians achieve self-sufficiency or --one day-- decent lives that include good health, education

and the opportunity to work. And so, while the basic issues of food, water, shelter and protection need to be addressed immediately, aid that works in partnership with the Cambodian people and that promotes self-sufficiency must be instituted simultaneously and urgently.

Cambodia can't wait. Her people are stepping on land mines, dying of tuberculosis and live only the most meagre of existences under the constant threat of expanding warfare. These seven million people, including 300,000 newly returned from a decade in barbed wire camps located in war zones and 200,000 internally displaced, want only a chance at peace and a new life. After millions of lives lost and futures shattered, it would be shameful if our attention turns elsewhere and our moral commitment waivers.



ISBN 0-16-044104-8



